United Nations E/C.12/UKR/Q/6/Add.1

Economic and Social Council

Distr.: General
10 March 2014
English
Original: Russian

Committee on Economic, Social and Cultural Rights
Fifty-second session
28 April–23 May 2014
Item 6 (a) of the provisional agenda
Consideration of reports: reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

List of issues in relation to the sixth periodic report of Ukraine

Addendum

Replies of Ukraine to the list of issues*

[Date received: 21 January 2014]

* The present document is being issued without formal editing.

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I. General information

1. Please indicate whether the Covenant has been invoked in, and applied by national courts of law and provide examples of such cases. Please also indicate whether the State party is considering ratifying the Optional Protocol to the Covenant.

1. Such information is not listed separately in judicial reports. The record of court decisions contains decisions that include references to the Covenant. These decisions can be found by carrying out a context-based search using the following link: http://reyestr.court.gov.ua/.

2. Ukraine is considering the possibility of acceding to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1
Maximum available resources

2. Please provide annual comparative statistical data for the reporting period on the percentage of the gross domestic product (GDP) and the State budget allocated to various sectors related to economic, social and cultural rights.

3. With a view to improving the competitiveness of the Ukrainian economy and boosting domestic production, in 2013 the Government of Ukraine developed and implemented the State programme to boost economic development for 2013–2014, approved by Cabinet of Ministers Decision No. 187 of 27 February 2013.

4. The Government has introduced a new State scheme to support the modernization of basic industries – namely by financing socioeconomic development projects through government guarantees. In June 2013, the Cabinet of Ministers established a financial and credit board for the selection of projects (Cabinet of Ministers Decision No. 404 of 3 June 2013). In July 2013, the conditions governing the granting of State guarantees in 2013 were established to ensure coverage of liabilities for investment, innovative, infrastructure and other projects of strategic importance, whose implementation will foster economic development (Cabinet of Ministers Decision No. 500 of 3 July 2013).

5. The support scheme for the provision of State-guaranteed loans has enabled borrowers to obtain loans on more attractive terms. The State guarantee helps to lower the interest rate on loans: banks require much smaller reserves for such loans, as the State is the guarantor.

6. Implementation of the State programme is now well under way. Using the arrangements under the State programme, a number of investment projects in agriculture, mechanical engineering, aviation, the space industry, new technologies, the construction industry and housing and community services are being rolled out.

7. For instance, funds have been released for a project to build the first phase of the Dnistrovskyy pump storage hydroelectric station composed of three units, with Hrv 956 million of the Hrv 1,500 million required covered by the Ministry of Energy and the Coal Industry.

8. A project to replace open-hearth furnace steel production with electrical steel-making at the Donetskstal iron and metal works private joint stock company is under way (according to information from the Ministry of Industrial Policy, Hrv 311 million had been invested by the end of 2013).

9. In addition, the Government of Ukraine has approved 11 projects, and credit agreements have been signed for 5 of them: to renovate the rolling stock of the bus and trolleybus fleets in Vinnytsya; to build a flyover between Admiral Senyavin Street and Zalaegerser Street in Kherson; to build a section of the Kurenevsko-Krasnoarmeiskaya subway line from the Exhibition Centre station to Odesa Square in the Holosiiv district of Kyiv; to do construction work on Keletskaya Street and the tram line from the Kvyateka Street to the Western bus station in Vinnytsa; to build a modern medical diagnostic centre for the Okhmatdet National Children's Hospital at 28/1 Chernovola Street, in the Shevchenko district of Kyiv.

10. The State programme has also given a great boost to the development of the agricultural sector. The implementation of measures in the agricultural sector has helped to create 4,800 new jobs and brought an influx of investment of more than Hrv 5.4 billion for the development of the sector. Ninety-two sites in different regions of Ukraine have become operational.

11. Thus, all the conditions have been created for attracting businesses in the preparation of new socioeconomic development projects, and steps are being taken to roll out existing projects for the large-scale modernization and technological upgrading of enterprises.

12. Annexes 1 and 2 provide information on the structure of GDP by income in 2012 and 2013.

Article 2, paragraph 2
Non-discrimination

3. Please provide information on the implementation of the Act on the Principles of Preventing and Combating Discrimination in Ukraine entered into force on 4 October 2012 and clarify whether the law provides for a definition of discrimination consistent with article 2, paragraph 2, of the Covenant, including direct and indirect discrimination. Please also inform the Committee of the status of draft law No. 2342 on amendments to some legislative acts of Ukraine on prevention and combating discrimination in Ukraine.

13. On 6 September 2012, the Verkhovna Rada (parliament of Ukraine) adopted the Act on the Principles of Preventing and Combating Discrimination in Ukraine (Act No. 5207-VI), which establishes the organizational and legal framework for preventing and combating discrimination in Ukraine to guarantee equal opportunities for the realization of individual and civil rights and freedoms.

14. Article 1 of the Act contains, inter alia, a definition of the terms "discrimination", "direct discrimination" and "indirect discrimination", according to which:

- *Discrimination* is a decision, act or omission designed to impose restrictions or grant privileges in respect of a person and/or group of persons based on race, colour, political, religious or other beliefs, sex, age, disability, ethnic or social origin, family status or property status, place of residence, or linguistic or other grounds (specific characteristics), if they render impossible the recognition and realization of human and civil rights and freedoms on an equal basis;

- *Direct discrimination* is a decision, act or omission resulting in a situation where a person and/or group of persons are treated less favourably than other persons in a similar situation on account of their specific characteristics;

- *Indirect discrimination* is a decision, act or omission, legal standards or evaluation criteria, conditions or practice that are formally the same, but whose implementation or application give rise or may give rise to restrictions or privileges in respect of a person and/or group of persons on account of their specific characteristics, except if such an act or omission, legal standards, or evaluation criteria, conditions or practice are objectively justified to guarantee equal opportunities for individuals or groups of individuals and to implement the equal rights and freedoms provided for in the Constitution and laws of Ukraine.

15. Article 4 of the Act defines the scope of the Act, according to which the Act applies to all persons on the territory of Ukraine.

16. The Act applies to the following areas of public life: civic and political activity; public service and local government; justice; labour relations; health; education; social protection; housing matters; access to goods and services; and other areas of public life.

17. Section II of the Act defines the mechanism for preventing and combating discrimination, including the scope of the entities empowered to prevent and combat discrimination – the Verkhovna Rada, the parliamentary Human Rights Commissioner (Ombudsman), the Cabinet of Ministers and other government bodies, the authorities of the Autonomous Republic of Crimea, local government agencies, civil society associations, individuals and legal entities (art. 9), and also lays down the powers of these entities (arts. 10–13).

18. According to article 14, paragraph 1, of the Act, a person who considers that he or she has been subjected to discrimination has the right to appeal to the parliamentary Human Rights Commissioner and/or the courts.

19. From 2009 to 2012, the Ombudsman received 1,467 complaints of violations of the constitutional principle of equality between men and women (348 in 2009; 334 in 2010; 630 in 2011; 155 in 2012), of which 86 per cent were from women and 14 per cent from men. Less than 1 per cent of all the complaints relating to violations of rights and freedoms submitted to the Ombudsman concerned sexual discrimination.

20. It is also worth noting that the Act on the Principles of Preventing and Combating Discrimination in Ukraine provides for an expert opinion and public review of proposed legislation for any discriminatory content. Thus, in accordance with article 8, paragraph 2 (3) of the Act, bills, presidential acts and other legislation and regulations drawn up by the Cabinet of Ministers and central and local government authorities must undergo such a review.

21. Pursuant to the aforementioned provisions, on 30 January 2013 the Government adopted Cabinet of Ministers Decision No. 61 on matters relating to expert opinions and public reviews of draft legislation and regulations for discriminatory content, which approved the procedure to be followed by government agencies.

22. Furthermore, the same Cabinet of Ministers Decision stipulates that the public review for discriminatory content shall be conducted by civil society associations, individuals and legal entities as part of the public debate on draft legislation and regulations in accordance with the procedure for public consultation on the formulation and implementation of State policy, approved by Cabinet of Ministers Decision No. 996 of 3 November 2010.

23. In order to improve the mechanisms for preventing and combating discrimination in Ukraine, on 19 February 2013, the bill amending the relevant legislation (No. 2342) submitted by the Cabinet of Ministers of Ukraine (drafted by the Ministry of Justice) was registered with the Verkhovna Rada. The bill was drafted taking into account international standards and recommendations in the field of the protection of human rights and civil liberties, as well as a number of comments on the Act on the Principles of Preventing and Combating Discrimination in Ukraine made by experts from the European Union and the Council of Europe. They concerned, in particular: the definitions of the terms used in the Act; expansion of the list of grounds on which discrimination is prohibited; the scope of the Act; forms of discrimination; the powers of the parliamentary Human Rights Commissioner; and clarification of the forms of punishment applicable to persons guilty of violating the law on preventing and combating discrimination in Ukraine.

24. The bill proposes, inter alia, to amend article 2^1 of the Labour Code of Ukraine, by stipulating that equal employment rights (to work, remuneration, free choice of profession, type of occupation and work, professional training and skills development, retraining, working conditions, membership of professional association, etc.) are guaranteed for all citizens under the Constitution of Ukraine, the Labour Code, the Act on the Principles of Preventing and Combating Discrimination in Ukraine and other legislative acts of Ukraine, and by adding "sexual orientation" to the list of grounds, irrespective of which Ukraine guarantees equal employment rights.

25. The bill introduces a number of amendments to the Act on the Principles of Preventing and Combating Discrimination in Ukraine, in particular by:

- Proposing new wording for the definition of concepts such as "discrimination", "direct discrimination" and "indirect discrimination";
- Clarifying the category of persons to whom the Act applies to include all legal persons under public and private law, as well as individuals who are on the territory of Ukraine;
- Extending the powers of the parliamentary Human Rights Commissioner to prevent and combat discrimination to cover monitoring the observance of the principle of non-discrimination in the private sphere;
- With regard to legal remedies, establishing that a person who believes that he or she has been subjected to discrimination has the right to appeal to the State authorities, the authorities of the Autonomous Republic of Crimea, local government authorities, their officials, the parliamentary Human Rights Commissioner and/or the court in the manner prescribed by procedural law.

26. The bill was placed on the agenda of the second session of the seventh Verkhovna Rada and was approved by the Verkhovna Rada on 2 April 2013 by Decision No. 158-VII.

27. However, on 14 May 2013, consideration of the bill was deferred.

4. Please indicate (a) whether discrimination in employment on grounds of age, sexual orientation and nationality is prohibited; (b) what categories of employment, if any, are closed to non-nationals.

28. In accordance with article 5 of the Employment Act (No. 5067-VI of 5 July 2012), the State guarantees protection against, inter alia, discrimination in employment, unjustified refusal of employment and wrongful dismissal.

29. Under article 11, paragraph 1, of the Act, the State guarantees individuals the right to protection against any discrimination in employment based on race, colour, political, religious or other beliefs, membership of trade unions or other associations, sex, age, ethnic or social origin, property status, place of residence, or linguistic or other grounds.

30. In accordance with article 24 of the Constitution, foreigners and stateless persons who are in Ukraine legally enjoy the same rights and freedoms and also bear the same responsibilities as citizens of Ukraine, with the exceptions established by the Constitution, laws and international treaties of Ukraine.

31. Pursuant to article 42 of the Employment Act, foreigners cannot be appointed to a position or engage in work when, under the law, appointment to the relevant position or the performance of the type of work is dependent on having Ukrainian citizenship.

32. For example, foreigners cannot be employed in the civil service (Civil Service Act, art. 4), as judges (Organization of the Courts and Status of Judges Act, art. 51) or as notaries (Notaries Act, art. 3).

33. On 1 January 2013, amendments were made to the Advertising Act (No. 270/96-VR of 3 July 1996) according to which in vacancy announcements (advertisements) it is prohibited to set an age limit for candidates, to offer a job only to women or men (except for specific work that can be performed only by persons of a particular sex), to establish requirements that favour one of the sexes, or to request that the persons seeking employment furnish information about their personal life.

34. Detailed information on this subject is given in the reply to paragraph 3 of the list of issues.

5. Please provide further information on steps taken to combat discrimination against Roma and Crimean Tatars in the fields of education, employment, housing and health. Please report on the budget allocated for the implementation of the Strategy on the Protection and Integration of Roma in Ukraine up to 2020 and the National Plan of Action on Roma Inclusion, indicators used to monitor progress and any interim results achieved so far. Please also indicate the measures taken to provide all Roma with personal documents necessary for the enjoyment of their rights under the Covenant.

35. The Strategy on the Protection and Integration of Roma in Ukraine up to 2020, was approved by Presidential Decree No. 201/2013 of 8 April 2013 and implemented through the National Plan of Action on Roma Inclusion up to 2020, adopted by Cabinet of Ministers Order No. 701 of 11 September 2013.

36. This means that, in order to implement the Strategy and related Plan of Action, the persons responsible must submit budget proposals allocating appropriate resources when planning State and local budgets each year.

37. Since the Plan of Action — the tool for implementing the Strategy — was adopted after the submission of the budget proposals, it was not possible to allocate specific resources for its implementation. Thus, in 2014, the Strategy and Plan of Action will be implemented using the resources allocated by the persons responsible to key sectors and areas of activity.

38. However, given the importance of the Plan of Action, some provinces, especially those in which there are significant numbers of Roma, have allocated resources to implement the Plan of Action as follows: in Odesa province, Hrv 50,000 have been allocated for 2014; in Mykolayiv province, Hrv 133,200 from 2014 to 2018; and in Zakarpattia province, Hrv 1,081,700 have been allocated under the Roma Population of Zakarpattia programme for 2012 to 2015 (of which Hrv 290,000 for 2014).

39. As for the indicators to assess progress and the results achieved so far in implementing the Strategy and Plan of Action, it should be noted that, since members of the Roma ethnic minority are scattered unevenly throughout the territory of Ukraine and, as a result, their socioeconomic needs differ from one region to another, the nationwide Plan of

Action does not include quantitative and qualitative indicators on the implementation of activities that can be uniformly applied to all regions.

40. However, in order to monitor the progress of the Roma ethnic minority, the Ministry of Culture drew the attention of the Cabinet of Ministers to the need to develop regional plans of action incorporating qualitative and quantitative indicators and specifying the amount of funding to be allocated from the local budget for their implementation. This proposal was approved by the Cabinet of Ministers and, as a result, most local authorities have developed their own regional plans.

41. At present, as part of the annual mandatory monitoring exercise, the persons responsible for the Plan of Action are preparing information on its implementation in 2013. On the basis of the input provided, the Ministry of Culture will prepare a synthesis of the results of the Plan of Action that will help in assessing the situation in respect of the integration of the Roma ethnic minority into Ukrainian society.

42. Paragraphs 41 to 44 of the Plan of Action provide for better living conditions for the Roma ethnic minority.

43. In accordance with article 47 of the Constitution everyone has the right to a home. The State is creating conditions so as to ensure that every citizen will have the opportunity to build, purchase or rent a home. Citizens requiring social protection are provided with housing by the State and local authorities free of charge or at an affordable cost, in accordance with the law. No one may be forcibly deprived of his or her home, other than by a lawful court decision.

44. The right of citizens to housing is laid down in article 1 of the Housing Code.

45. Section III of the Housing Code sets forth the legal rules governing the procedure for allocating accommodation in State and social housing facilities and for providing citizens with accommodation in housing cooperative units and through various other types of housing solutions.

46. Under the Housing Code, every citizen who needs to improve his or her living conditions is entitled to accommodation in State or social housing facilities, in accordance with the procedure established by law.

47. In accordance with article 34 of the Housing Code, the following are considered to be persons who need to improve their living conditions:

- Persons provided with accommodation below local standards;
- Persons living in accommodation that does not meet sanitary and technical standards;
- Persons suffering from severe forms of certain chronic diseases as a result of which they cannot live in a shared apartment or in the same room as members of their families;
- Persons living in accommodation under a sublet agreement in State or public housing facilities or with a rental contract in housing cooperative units;
- Persons who have been living for a long time in privately owned houses (apartments) with a lease (rental contract);
- Persons living in hostels.

48. Citizens who need to improve their living conditions are placed on a list for accommodation in State and social housing facilities.

49. Accommodation is allocated on a first-come-first-served basis, on a priority basis and on a top priority basis. The right to occupy accommodation is by placement order only.

50. Another way that citizens are provided with housing is through participation in government programmes, in particular the Programme to reduce the cost of mortgages to ensure affordable housing for citizens who need to improve their living conditions.

51. By Decision No. 343 of 25 April 2012, the Cabinet of Ministers approved the Regulations for implementing the scheme to reduce mortgage costs by reimbursing part of the interest on loans for the construction (renovation) or purchase of property under construction. Under the scheme, loans are granted to citizens for the construction of affordable housing at an interest rate of 3 per cent per annum.

52. In accordance with the Regulations, borrowers must be citizens who need to improve their living conditions and who meet the bank's requirements for credit.

53. In addition, citizens can purchase property under the State special socioeconomic programme for the construction (purchase) of affordable housing for 2010–2017, approved by Cabinet of Ministers Decision No. 1249 on 11 November 2009 as well as the State Housing Programme for Young People for 2013–2017, approved by Cabinet of Ministers Decision No. 967 of 24 October 2012.

54. The scheme to ensure affordable housing is defined in the Regulations approved by Cabinet of Ministers Decision No. 140 of 11 February 2009.

55. In accordance with the Regulations, State support consists in paying citizens 30 per cent of the construction (purchase) cost of affordable housing. State support may be provided either from the State budget or from local budgets.

56. As a result citizens pay 70 per cent of the cost of affordable standard living space.

57. Information on and the conditions for participating in the above-mentioned programmes are posted on the home page of the Ministry for Regional Development, Construction and Communal Services of Ukraine website (www.minregion.gov.ua) under the heading "Affordable housing".

58. The State Young People's Housing Fund is designated as a recipient of budgetary resources.

59. The problem of the resettlement, adaptation and integration into Ukrainian society of persons deported on ethnic grounds stems from their return to Ukraine en masse from their places of deportation.

60. There are 282,018 Crimean Tatars living in Ukraine.

61. In addition, there are still about 100,000 Crimean Tatars outside Ukraine who may return to Crimea.

62. Deportees now make up 13.4 per cent of the population of the Autonomous Republic of Crimea (excluding Sevastopol).

63. There are 300 areas with high concentrations of deportees in the Autonomous Republic of Crimea. The largest numbers live in Simferopol, and in Simferopol, Belohirsk, Bakhchisarai, Dzhankoy, Kirov, Lenin and Krasnohvardiiske districts.

64. Since 1991, there has been a specific item in the State budget for the resettlement of returnees. Budgetary resources are allocated principally for housing, utilities and social and cultural facilities.

65. Some 5,891 families have been provided with suitable accommodation using budgetary resources; however, 7,533 families are still on the waiting list.

66. During 2013, the Ministry of Social Policy conducted activities under the Programme for the resettlement and rehabilitation of deported Crimean Tatars and persons of other ethnic groups who have returned to take up residence in Ukraine, their adaptation and integration into Ukrainian society for the period to 2015, which was approved by Cabinet of Ministers Decision No. 637 of 11 May 2006 (with amendments).

67. Under this programme, with funding from State and local budgets, housing for returnees is being built, utility infrastructure is being set up in places with large numbers of returnees and social measures are being implemented, with travel and shipment costs of baggage reimbursed, lump sums provided for completion of the construction of individual homes, and textbooks and teaching aids supplied to schools whose language of instruction is Crimean Tatar. The development of broadcasting media and the press in the language of the returnees is being promoted, and regional, national and international festivals are being held and national holidays and other events celebrated.

68. In order to improve the mechanism for providing social guarantees for deported Crimean Tatars and deportees of other ethnic groups, the Ministry of Social Policy drafted Cabinet of Ministers Decision No. 430 amending Cabinet of Ministers Decisions Nos. 1952 of 17 December 2003 and 626 of 13 May 2004, which was approved on 19 June 2013.

69. In 2013, with State budget funds, 413 deportees were reimbursed for relocation and shipment expenses from their places of deportation to Ukraine, 104 families received financial assistance to complete the construction of their own homes, and ceremonies were held to mark the day on which Crimean people were deported and national holidays. Financial support was provided for newspapers and magazines published in the returnees' language.

70. In addition, local budget funds helped civil society associations to organize around 15 large-scale cultural events for returnees.

71. Some Roma citizens living in Ukraine have no identity documents and no registered place of residence and are therefore homeless. However, most laws and regulations provide for the exercise of civil rights (identity documents, medical care, education, social assistance, etc.) on the basis of the place of residence.

72. Obtaining identity documents, particularly Ukrainian passports, is still a serious problem for the Roma. The main factor, which considerably complicates the issuing of Ukrainian passports to the Roma, is that they either have no birth certificate or have lost it.

73. There is the additional problem of the timely identification of persons who have not applied for a passport on reaching the age of 16, as this sector of the population does not attend school and lives outside of towns and villages (in camps).

74. The entry into force in 2006 of the Act on the Principles of Social Protection for Homeless Persons and Street Children (No. 2623-IV of 2 June 2005) and amendments thereto pursuant to Act No. 2823-VI of 21 December 2010 represent a positive step in addressing problems relating to documentation for citizens of Roma ethnic origin and the registration of their place of residence.

75. As a result of this Act, citizens of Roma ethnic origin can resolve problems relating to documentation and registration of their place of residence by giving the address of social institutions or registration centres for the homeless.

76. The territorial bodies and divisions of the Ministry of Internal Affairs are aware that comprehensive measures are required to accomplish the task of issuing citizens of Roma ethnic origin with passports.

6. Please provide information on steps taken to combat and prevent social stigma and discrimination against persons living with or affected by HIV and AIDS, persons

with disabilities and lesbian, gay, bisexual and transgender (LGBT) persons. Please specify the measures taken to ensure their enjoyment of the rights enshrined in the Covenant, including access to employment, social security, health care and education.

77. The State Labour Inspectorate is one of the executing agencies of the State programme on HIV prevention, treatment, care and support for persons living with HIV/AIDS for 2009–2013.

78. Efforts to prevent HIV/AIDS have been under way since 2008 through advisory and awareness-raising activities and practical ways and means of combating discrimination against HIV-positive people in the workplace.

79. Moreover, in accordance with the Order approved by Presidential Decree No. 386/2111 of 6 April 2011, one of the main functions of the State Labour Inspectorate is to raise awareness of matters relating to the prohibition of discrimination against persons living with HIV/AIDS in the workplace.

Indicator	*2011*	*2012*	*2013*
Number of seminars and meetings to raise awareness among representatives of employers and trade unions	7 455	6 176	7 713
Number of counselling services on the prevention of HIV/AIDS in the employment sector and on issues relating to discrimination against and the stigmatization of HIV-positive persons and members of their family	8 178	6 943	7 909
Number of enterprises with a programme on the prevention of HIV/AIDS in the workplace	221	276	369

80. In order to bring Ukrainian legislation into line with international standards, including the provisions of the Convention on the Rights of Persons with Disabilities, the Act amending legislation on the Act on the Rights of Persons with Disabilities (Act No. 4213-VI of 22 November 2011) was adopted. It contains guidelines for devising and implementing public policy on persons with disabilities, strengthens the role of civil society associations for persons with disabilities in this area, establishes new standards and spells out existing ones relating to the State's obligations towards persons with disabilities.

81. In order to ensure that persons with disabilities enjoy equal rights and have their needs fulfilled on an equal basis with other citizens, and that their level of functioning is improved in line with the Convention on the Rights of Persons with Disabilities, in 2012, a special State programme — the National Plan of Action on the implementation of the Convention on the Rights of Persons with Disabilities up to 2020 — was approved.

82. In addition, an important step towards ensuring that the rights and legitimate interests of persons with disabilities are adequately protected, in compliance with Ukraine's international obligations in this area, was the establishment in 2013 of a State institution – the Government Commissioner for Persons with Disabilities.

83. In 2013, the number of workers with disabilities increased by 32,343 and, by the beginning of 2014, stood at 749,660.

84. In 2013, some 40,902 persons with disabilities registered with the employment services (3,004 more than in 2012), and 12,182 of them found jobs (12,195 in 2012). Jobs for 370 persons with disabilities were created and financed by the Social Protection Fund for Persons with Disabilities (437 in 2012).

85. In 2013, some 4,281 persons with disabilities received vocational training through the employment services compared with 3,891 in 2012. The Social Protection Fund paid for training for 1,658 for persons with disabilities (1,932 in 2012).

86. The employment services paid a lump-sum unemployment benefit to 772 persons with disabilities – 223 more than the previous year. Some 673 unemployed persons with disabilities did community work organized by the employment services (506 in 2012).

87. Efforts continue to improve the Regulations governing cooperation between the labour and social protection agencies, employment centres, departments of the Social Protection Fund for Persons with Disabilities, vocational centres for persons with disabilities and educational institutions under the Ministry of Labour on finding employment for persons with disabilities, approved by Ministry of Labour Order No. 201 of 3 May 2007.

88. In February 2014, there were 388 rehabilitation facilities operating in Ukraine, administered by various sectors, providing services for medical, educational, physical, social and psychological rehabilitation as well as for rehabilitation through vocational training, employment, physical activity and sports. Every year, nearly 45,000 adults and children with disabilities benefit from services at such facilities.

89. As at 1 January 2014, some 404,500 persons who qualified, including 156,400 children, were in receipt of State social support pursuant to the Act on State Social Assistance for Persons Disabled since Childhood and Children with Disabilities.

90. In the course of 2013 the amount of State social support increased twice (in January and December). Compared with December 2012, in December 2013:

- For persons disabled since childhood in group I (depending on the degree of loss of health and of need for constant care), the amount of social support increased by between Hrv 97.5 and Hrv 113.75 (7.4 per cent) to between Hrv 1,423.5 and Hrv 1,660.75;
- For persons disabled since childhood in groups II and III, the amount of social support increased by Hrv 65 (7.4 per cent) to Hrv 949;
- For children with disabilities (depending on entitlement to a supplementary care allowance and the child's age), the amount of social support increased by between Hrv 65 and Hrv 112.75 (7.4 per cent) to between Hrv 949 and Hrv 1,639.45.

91. On 28 July 2013, the Act amending article 3 of the Act on State Social Assistance for Persons Disabled since Childhood and Children with Disabilities (No. 410-VII of 4 July 2013) entered into force. It increased the supplementary care allowance for children with disabilities in subgroup A (with severe health loss) from 50 to 100 per cent of the subsistence minimum for children of school age.

92. Taking this increase into account, the basic allowance together with the supplementary care allowance increased:

- For children with disabilities in subgroup A under 6 years old, in July, by 44 per cent (from Hrv 1,111.8 to Hrv 1,597.8), and in December by a further 9 per cent to Hrv 1,696.3;
- For children with disabilities in subgroup A from 6 to 18 years, in July, by 49 per cent (from Hrv 1,230.8 to Hrv 1,835.8), and in December by a further 9 per cent to Hrv 1,950.3.

93. In 2014, the 2014 State Budget of Ukraine Act provided for an increase in the subsistence minimum, which will be taken into account in State social support rates in July and October.

94. As of 1 January 2014, the State social support rates are:

- Hrv 1,660.75 for persons disabled since childhood in group I, subgroup A;
- Hrv 1,423.5 for persons disabled since childhood in group I, subgroup B;
- Hrv 949 for persons disabled since childhood in groups II and III;
- Hrv 949 for children with disabilities, without the supplementary care allowance;
- Hrv 1,696.3 for children with disabilities in subgroup A, under 6 years of age, with the supplementary care allowance;
- Hrv 1,180.3 for children with disabilities, under 6 years of age, with the supplementary care allowance;
- Hrv 1,950.3 for children with disabilities in the subgroup from 6 to 18 years, with the supplementary care allowance;
- Hrv 1,307.3 for children with disabilities, from 6 to 18 years, with the supplementary care allowance;
- Hrv 996.45 for children with disabilities from 0 to 18 years, whose condition is connected with the Chernobyl disaster;
- Hrv 2,028.45 for children with disabilities in subgroup A, under 6 years of age, whose condition is connected with the Chernobyl disaster, with the supplementary care allowance;
- Hrv 1,512.45 for children with disabilities, under 6 years of age, whose condition is connected with the Chernobyl disaster, with the supplementary care allowance;
- Hrv 2,282.45 for children with disabilities in subgroup A, aged 6 to 18, whose condition is connected with the Chernobyl disaster, with the supplementary care allowance;
- Hrv 1,639.45 for children with disabilities from 6 to 18 years whose condition is connected with the Chernobyl disaster, with the supplementary care allowance.

95. In 2014, more than 75,000 persons with disabilities have cars, including those issued by the social protection agencies. On 1 January 2013, some 78,492 persons with disabilities were on the waiting list for a free or subsidized car.

96. In 2013, Hrv 31.2 million of State budget funds were allocated and released to supply vehicles for persons with disabilities, as a result of which 494 persons with disabilities now have cars.

97. In 2013, the Social Insurance Fund for Accidents at Work and Occupational Diseases in Ukraine signed a contract for the purchase and supply of 678 cars for drivers with disabilities, 156 of which were handed over to persons with disabilities last year (other cars will be delivered in early 2014). In addition, the Ministry of Social Policy adopted 16 decisions (orders) declaring that 403 cars would be supplied to persons with disabilities as humanitarian assistance.

98. Every year, certain categories of the population, including persons with disabilities, are issued with assistive and other rehabilitation devices (wheelchairs, canes, crutches, etc.) through the employment and social protection agencies:

- In 2008, 603,200 items were issued;
- In 2009, 529,032 items were issued;
- In 2010, 452,978 items were issued, worth Hrv 315.5 million or US$ 38.7 million;

- In 2011, 558,979 items were issued, worth Hrv 361.4 million or US$ 44.3 million;
- In 2012, 779,000 items were issued, worth Hrv 604 million or US$ 77.1 million;
- In 2013, more than 651,300 items were issued, worth Hrv 525.4 million or US$ 64.5 million.

99. Twenty-five service centres were established on the premises of State-owned and State prosthetic and orthopaedic appliance companies to supply persons with disabilities with assistive and other rehabilitation devices and provide maintenance for them.

100. From 2004 to 2008, with State budget funds allocated to the Programme for the purchase (construction) of housing for blind persons and deaf persons (Programme No. 2501580), and funds from enterprises run by the Ukrainian Association of the Blind and the Ukrainian Society of the Deaf, blind persons and deaf persons themselves purchased 215 apartments, 73 of which were on the secondary housing market.

101. From 2009 to 2010, no funds were earmarked for the above-mentioned Programme in the State budget. However, in accordance with the Regulations governing the distribution of apartments purchased by the State mortgage agency, approved by Cabinet of Ministers Decision No. 1037 of 23 September 2009, during this period, blind persons were allocated 47 apartments and deaf persons 36 apartments.

102. In 2011 and 2012, under the above-mentioned Programme with funds from enterprises run by the Ukrainian Association of the Blind and the Ukrainian Society of the Deaf, blind persons and deaf persons themselves purchased 97 apartments (25 in 2011 and 72 in 2012).

103. In 2013, no funds were allocated in the State budget to the Programme for the purchase (construction) of housing for blind persons and deaf persons.

104. However, in this connection, the records of enterprises run by the Ukrainian Association of the Blind and the Ukrainian Society of the Deaf mentioned 1,070 blind persons and 821 deaf persons respectively.

105. At the same time, Hrv 300,000 were allocated in the 2014 State Budget to cover the costs of the housing programme for disabled war veterans, veterans of conflicts in other countries, citizens affected by the Chernobyl disaster, blind persons and deaf persons, military personnel discharged into the reserves, retired from service or evacuated from garrisons closed down or in remote locations (Programme No. 2501100).

106. As for creating a barrier-free environment in buildings where social institutions are located, as at 1 January 2014, the level of accessibility to such buildings was only 57.1 per cent, since only 4,409 of a total of 7,715 buildings were accessible.

107. The most accessible buildings are the vocational rehabilitation centres for persons with disabilities (84.2 per cent), the employment and social protection agencies (81.7 per cent), residential care centres run by the social protection system (80.6 per cent), mixed facilities for adults and children with disabilities (82.4 per cent), social rehabilitation centres for children with disabilities (80.3 per cent) and social centres for mothers and children and for the social and psychological rehabilitation of children and young people with functional limitations (74.3 per cent).

108. The buildings with the poorest accessibility are the social and psychological support centres (26.1 per cent) and State employment centres (24.6 per cent).

109. There is a high level of accessibility to such buildings in Kherson (79.4 per cent), Poltava (76.8 per cent) and Zhytomyr (69.7 per cent) provinces, whereas the lowest level of accessibility is in the Autonomous Republic of Crimea (37.1 per cent) and in the town of Sevastopol (39 per cent).

110. It should be noted that the number of accessible and partially accessible buildings is definitely on the increase (on average by 10 per cent), in the following institutions:

- Social services centres for families, children and young people; centres for the homeless; and facilities for former prisoners;
- Residential care centres run by the social protection system;
- Social service centres.

111. It must be acknowledged that, from 1 July 2013 to 1 January 2014, buildings where social institutions are located became more accessible to persons with disabilities, as borne out by the relevant quantitative indicators – their level of accessibility increased by 3.1 per cent.

112. In this connection it should be noted that vocational rehabilitation centres for persons with disabilities, mixed facilities for persons with disabilities, employment and social protection agencies, and residential care centres run by the social protection system have a high level of accessibility (84.2 per cent, 82.4 per cent, 81.7 per cent and 80.6 per cent, respectively).

113. Information on access to education for persons with disabilities is given in the reply to the question in paragraph 32.

Article 3
Equal rights of men and women

7. Please provide updated information on measures taken to increase the representation of women in parliament, the Government, and in senior positions in the public service and the impact thereof.

114. In order to improve legislation on ensuring equal rights and opportunities for women and men and to fulfil the international obligations of Ukraine, in particular the Millennium Development Goals, the Ministry of Social Policy drafted a bill amending legislation on ensuring equal rights and opportunities for women and men (No. 3411-2), which was approved by the Cabinet of Ministers on 23 October 2013 and was registered in the Verkhovna Rada on 23 October 2013.

115. The bill provides, inter alia, for the introduction of a 30 per cent quota for individuals of one sex in party and electoral lists for deputies to councils at all levels of local and central government, the prohibition of all forms of gender discrimination, and the guarantee of equal rights and opportunities for women and men in all sectors of society.

8. Please provide information on concrete measures taken to address the persistent wage gap between women and men.

116. Current labour legislation guarantees Ukrainian citizens equal rights in the area of employment and its remuneration, regardless of their origin, social or property status, race, ethnicity, sex, language, political opinions, religious beliefs, membership of trade unions or other civil society associations, type of occupation and place of residence. Women enjoy these rights on an equal footing with men.

117. In other words, under the legislation, men and women have equal rights to remuneration. However, according to statistical data, men earn somewhat more than women. This is due to the fact that more men hold managerial positions where salaries are higher and are recruited more often for work in difficult, harmful, especially difficult or especially harmful conditions and for night work, which is better paid.

118. There is also a wage gap between men and women as a result of:

- Women exercising their right to work part-time (on a daily or monthly basis) in order to spend more time taking care of the family and raising their children;
- The prohibition under article 174 of the Labour Code on hiring women for work involving difficult and harmful or dangerous working conditions, or for work underground, with some exceptions (non-physical work or health-related and community services);
- Restrictions on employing women for night work, save for those types of economic activity where such employment is permitted as a temporary measure to meet special needs (Labour Code, art. 175).

119. According to statistical data, in 2012, the average monthly wage was Hrv 2,661 for women, and Hrv 3,429, or 28.9 per cent more, for men.

120. From January to September 2013, the respective figures were Hrv 2,827 for women and Hrv 3,675, or 30 per cent more, for men.

121. With a view to taking steps to reduce the wage gap between women and men, paragraph 4.6 of the General Agreement governing the basic principles and procedures for implementing social and economic policy and labour relations in Ukraine for 2010 to 2012 recommends that collective bargaining agreements should include provisions guaranteeing gender equality among employees.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6
The right to work

9. Please provide updated information on the unemployment rate disaggregated by sex, age, ethnic group and rural/urban areas and the impact of measures aimed at reducing unemployment among youth, women, Crimean Tatars and the Roma, including through the State Employment Policy up to 2014 and the National Tripartite Accord on Employment and Jobs.

Unemployment rate 2011–2013

	Persons aged 15–70			*Persons of working age*		
	2011	*2012*	*Additionally: First 9 months of 2013*	*2011*	*2012*	*Additionally: First 9 months of 2013*
Unemployment rate (ILO methodology), percentage of economically active population	7.9	7.5	7.0	8.6	8.1	7.6
including specifically:						
Urban population	8.0	7.6	7.0	8.6	8.1	7.4
Rural population	7.5	7.4	7.0	8.5	8.3	7.9
Men	8.8	8.5	7.9	9.2	8.9	8.3
Women	6.8	6.4	6.1	7.8	7.2	6.7

122. To make it easier for citizens to enjoy their right to decent work, to stimulate job creation, expand capacity and ensure the stable functioning of the labour market, the Government has approved an employment promotion and job creation programme for the period up to 2017, and a plan of action for its implementation (Cabinet of Ministers Decision No. 1008 of 15 October 2012), based on the provisions of the national tripartite agreement on employment and jobs.

123. The Employment Act, which entered into force on 1 January 2013, provides schemes for encouraging employers to create new jobs, including highly paid positions, and for supporting entrepreneurial activities, self-employment and employment for socially vulnerable categories of the population. It also provides incentives to attract young professionals to work in rural areas.

124. To encourage job creation under the Act, the Compulsory State Social Insurance Fund offers employers compensation equivalent to the single social security contribution if they create new jobs for individuals who have been unemployed for at least two years, including persons who have difficulty competing on the job market (young people, women (parents) looking after children under the age of 6, and other categories). Compensation for the single contribution is also paid to small business employers engaged in priority economic activities who create new jobs for unemployed persons.

125. During 2013, 9,600 persons found new jobs with the help of this scheme. That figure includes 4,400 persons who had difficulty competing on the job market and 5,200 who found jobs in small businesses engaged in priority economic activities.

126. The priority in the work of the State Employment Centre is to provide social protection for citizens who cannot compete on an equal footing in the labour market and marginalized groups of the population. Its work with these categories focuses on increasing their motivation to work, reviving their professional skills and working habits by involving them in a variety of seminars and training workshops, and providing individual counselling. The main principle is still to provide targeted and focused career guidance services to that specific category of the population.

127. All unemployed individuals who want to work, as well as persons who have jobs but wish to change their place of work or find a part-time job or work that will fit around their studies, may apply to the Employment Centre.

128. Any citizen can approach the Centre for information on job market demand and the assistance available from the State Employment Service, such as:

- Job searches of up-to-date information on offers and vacant positions not only in the local city or region, but also in other areas of the country;
- Training, retraining or further training;
- Careers guidance and testing;
- Professional advice on finding a job;
- Extra earnings (to assist during unemployment) through participation in temporary public and other works.

129. All employment centres offer job seekers free access to information on vacancies posted on billboards, touch screens and the State Employment Service Internet portal (www.trud.gov.ua).

130. Figures from the State Statistics Service show that, during the first nine months of 2013, the average number of persons aged between 15 and 70 in employment was 20.5 million, a rise of 62,200 compared to the corresponding period in 2012.

131. The employment rate rose from 60.1 per cent in the first nine months of 2012 to 60.7 per cent the first nine months of 2013. The highest rate is in the 40–49 years age group (79.7 per cent in the first half of 2013) and the lowest is in the 15–24 years age group (32.6 per cent in the first half of 2013).

132. The average number of men aged 15–70 employed during the first nine months of 2013 rose by 66,000 to 10.6 million, while the number of employed women fell by 3,800 to 9.9 million.

133. Employment rates have risen among both men (from 65.4 per cent to 66.2 per cent) and women (from 55.4 per cent to 55.8 per cent).

134. One third of the total employed population of Ukraine lives in the countryside. Figures from the State Statistics Service for the first nine months of 2013 show a total of 6,454,800 employed persons in rural areas, which is 50,900 more than in the same period the previous year. The employment rate rose from 63.0 per cent to 64.0 per cent.

135. During the first nine months of 2013, the average number of unemployed persons fell by 76,700 to 1.6 million.

136. Calculated using International Labour Organization (ILO) methodology, unemployment in the 15–70 age group fell from 7.4 per cent of the economically active population during the first nine months of 2012 to 7.0 per cent during the first nine months of 2013 (from 8.4 per cent to 7.9 per cent for men and from 6.2 per cent to 6.1 per cent for women).

137. In Ukraine, as in other countries, most of the unemployed are young people aged 15–24 years. In spite of a fall in unemployment in this age group, from 17.3 per cent in the first half of 2012 to 16.6 per cent in the first half of 2013, the figure remains the highest of the different age groups. The unemployment rate for young people aged 25–29 years went down from 9.4 per cent in the first half of 2012 to 8.8 per cent during the same period in 2013.

138. There has been a decrease in the number of unemployed among both men and women. In the first nine months of 2013, the number of unemployed men was 61,100 lower than in the corresponding period in 2012, at 908,200. The number of unemployed women fell from 660,700 during the first nine months of 2012 to 645,100 in the first nine months of 2013.

139. The number of unemployed persons living in rural areas in the first nine months of 2013 was 4,100 lower than during the same period in 2012, at 487,600, representing a decrease from 7.1 per cent to 7.0 per cent of the economically active population.

140. There were 1.5 million unemployed persons registered with the State Employment Service in 2013.

141. The State Employment Centre found work for 541,900 persons registered as unemployed, which is one third more than in the corresponding period the previous year. The priority in the Centre's work is to provide services to persons who have additional guarantees of finding employment, in particular, parents with children under the age of 6, graduates of educational institutions, persons with less than 10 years before qualifying for their retirement pension and persons with disabilities.

142. In 2013, 154,500 persons in these categories, almost twice as many as the previous year, found employment.

143. Of the jobs found, 9,600 were with employers who received compensation equivalent to the single contribution to the Compulsory State Social Insurance Fund; they

included jobs for 4,400 citizens who were uncompetitive on the labour market, and 5,200 new jobs in priority areas of economic activities.

144. The average rate of recruitment of unemployed persons has risen from 29.8 per cent in 2012 to 35.2 per cent in 2013.

145. In addition, the Employment Service found jobs for a further 270,000 persons registered for reasons other than unemployment.

146. In 2013, 16,200 unemployed persons, almost one and a half times more than in 2012, received the lump-sum unemployment benefit for entrepreneurial activities.

147. The Employment Centres also sent 217,000 unemployed persons for vocational training. The level of recruitment after vocational training rose from 83.0 per cent of participants in 2012 to 88.8 per cent in 2013.

148. A total of 230,600 persons took part in public works and other temporary work.

149. Since May 2013, vouchers have been issued to help persons aged over 45 enhance their competitiveness on the labour market. Between May and December 2013, 20,400 such persons received vouchers for training and further training.

150. As at 1 January 2014, 487,700 persons had unemployed status and, of those, 402,100 were receiving unemployment benefit. There were 47,500 vacancy announcements in the Employment Centre database.

151. To promote employment and reduce unemployment rates among the working-age population in the Autonomous Republic of Crimea, including persons belonging to national minorities and former deportees, work has been done to implement the Social Protection and Employment Programme for the Population of the Autonomous Republic of Crimea, 2011–2013, approved by Decision No. 162-6/10 of 28 December 2010 of the parliament of the Autonomous Republic of Crimea.

152. A similar programme for 2014–2016, No. 1483-6/13 of 27 November 2013, has now been developed and approved by the parliament of the Autonomous Republic of Crimea.

153. Addressing the issue of employment for persons in rural regions, including deported citizens, the Programme includes measures to help citizens organize their private allotments and family farms, to set up organizations providing procurement, marketing and agricultural services and credit unions, to provide engineering, technical and other services to agricultural enterprises, family farms and individuals, and to promote the development of agricultural, green and ethnographic tourism, ethnic trades and crafts and the revival of traditional types of farming.

154. The 2012–2013 employment programme for urban centres and districts includes measures to address local employment issues, such as employment for deported citizens, developed in the light of proposals from regional departments of inter-ethnic relations. The regional employment programmes for the period to 2017 include similar measures.

155. However, it is difficult to study the employment or unemployment situation or to analyse recruitment figures for this category of the population, as there are no government statistics on former deportees.

156. In line with the Employment Act, the Government's employment policy is based on the principles of providing equal opportunities for all citizens, regardless of ethnic origin or other grounds, to realize their right to free choice of activity.

157. On 1 February 2002, the Autonomous Republic of Crimea Employment Centre stopped keeping separate records for former deportees. Pursuant to paragraph 3 of the Regulations governing the registration and re-registration of unemployed persons and

record of other persons seeking employment (Decision of the Cabinet of Ministers of Ukraine No. 198 of 20 March 2013), the information registered and recorded is taken from citizens' passport data and employment records, which do not contain information on ethnicity.

158. The only data available on the employment status of the population living in the Autonomous Republic of Crimea, by ethnic background, specifically Crimean Tatars, are from the 2001 census, which showed that there were 243,400 Crimean Tatars (12 per cent of the permanent population of the Autonomous Republic), of whom 62,100 or 66.6 per cent were living in rural areas.

159. The employment rate of the Crimean Tatar population, at 38.2 per cent, was close to the average for the Autonomous Republic (43.6 per cent). There are 26,600 Crimean Tatars, or 40.4 per cent of those that have work, who are either entrepreneurs or self-employed, a figure 2.8 times the average for the Autonomous Republic.

160. The results of the national population census of Ukraine will provide more precise data on the employment status of the population across ethnic groups.

161. Work has been done under the Social Protection and Employment Programme for the Population of the Autonomous Republic of Crimea in 2013 to provide jobs for the population, including persons belonging to ethnic minorities and former deportees.

162. In 2013, new jobs were found for 38,500 persons, most of those (90 per cent or 34,700) in business: 8,300 persons registered for business activities and 26,400 signed job contracts with individual entrepreneurs and have begun work. Of the individual entrepreneurs and employees who began work in 2013, most (54 per cent) are employed in trade, 18 per cent are in the hospitality industry and 7 per cent are involved in transport and warehousing.

163. Figures from the Land Resource Committee of the Autonomous Republic of Crimea show that, as at 20 December 2013, 7,600 persons, including former deportees, had received licences for land plots for private allotments and 52,600 for market gardens, with a total of 67,300 private farms.

164. In 2013, 19,700 persons were employed to fill vacancies, representing a recruitment rate of 36.4 per cent of the unemployed population. Lump-sum unemployment assistance payments allowed 300 persons to set up in business.

165. All the Employment Centres have "Starting a business" display corners and stands that are regularly updated and provide full information for anyone wishing to set up in business; they offer information on regulations and training, as well as articles from newspapers and magazines.

166. Paid public works were organized to provide temporary jobs for unemployed persons, of whom 2,500 participated during the year.

167. With a view to enhancing the competitiveness of unemployed persons on the labour market, vocational training, retraining and further training in professions and specializations in demand was provided for 7,200 persons. The vocational training focused on individual training plans and programmes requested by employers, as well as further training through work placements and targeted courses.

168. The Employment Act provides for the right of unemployed persons, as well as employed citizens aged 45 or over who have an insurance contribution record of at least 15 years, to qualify for a one-time voucher to pay for training in a new occupation or further training in accordance with the approved list of occupations. In 2013, 1,032 persons in the Autonomous Republic of Crimea made use of the voucher service.

169. The Ministry of Social Policy and the State Employment Service held job fairs in the regions and in the Autonomous Republic of Crimea on 20 April and 28 September 2013. The fairs were attended by the largest companies and organizations in Crimea, and vacancies in Crimea and in Ukraine with housing provided were advertised. Over 20,000 Crimean citizens attended the job fairs.

170. The work done in 2013 in promoting productive employment for the population achieved positive results. According to the latest figures from statistical surveys of the economic activity of the population (for the first nine months of 2013), the employment rate for the 15–70 age group in the Autonomous Republic of Crimea rose to 62.8 per cent (60.7 per cent for Ukraine) from 62.6 per cent during the same period of the previous year, while the level of economic unemployment fell from 5.5 per cent to 5.4 per cent (7.0 per cent for Ukraine). The Autonomous Republic of Crimea came third or fourth among the country's 27 regions for these indicators.

171. Furthermore, Crimean Tatars have been elected as deputies to: the Verkhovna Rada of Ukraine – 1 person; the parliament of the Autonomous Republic of Crimea – 6 persons; city and district councils – 123 persons; and village or settlement councils – 859 persons.

172. Overall, Crimean Tatars make up more than 14 per cent of deputies in the Autonomous Republic of Crimea.

173. The Ministry of Health of the Autonomous Republic of Crimea has designated the Crimean Medical Centre for Formerly Deported Peoples as the main coordinating agency for health-care services for deported citizens in the Autonomous Republic of Crimea.

174. Set up in 1992, the Centre is licensed for medical practice by the Ministry of Health of Ukraine and has first-level accreditation. It works closely with the regional medical institutions in the Autonomous Republic of Crimea, providing health care and health promotion for the former deportee population. With new modern medical equipment, the Centre organizes its work with returnees in the regions, offering diagnostic and consultative services and treatment.

175. Since March 2012, in conjunction with the National Institute for Strategic Studies in the office of the President of Ukraine, the Centre has been studying issues related to the economic, demographic and ethnopolitical development of former deportees.

176. Crimean Tatars have equal access to high quality health-care services and free provision of drugs under national health promotion programmes.

177. In 2013, 240,569 returnees, including 173,274 adults and 67,335 children aged 0 to 14, were given preventive check-ups. A total of 56,322 new cases of disease were diagnosed.

178. With a view to regulating the repatriation process, a bill (No. 0921 of 12 December 2012) on restoring the rights of persons deported on the basis of ethnic background was drawn up by Mr. M. Dzhemiliev, a people's deputy of Ukraine, and adopted on its first reading in plenary session of the Verkhovna Rada of Ukraine. It provides for a legal framework for the regulation and implementation of government policy on returning and resettling persons who were deported on the basis of their ethnicity, and establishes the powers of the executive authorities and local authorities in this area.

10. Please indicate how the quota of employment of persons with disabilities of 4 per cent in public and private companies and institutions is enforced in practice and its effectiveness in improving access to employment for persons with disabilities.

179. Pursuant to the Regulations governing the State Labour Inspectorate of Ukraine, approved by Presidential Decree No. 386 of 4 June 2011, the Inspectorate supervises and

monitors compliance with laws governing the employment and recruitment of persons with disabilities in respect of:

- Registration with the Social Protection Fund for Persons with Disabilities;
- Submission of reports on the employment and recruitment of persons with disabilities;
- Compliance with the job quota for persons with disabilities.

180. Under article 19 of the Act on Basic Social Protection for Persons with Disabilities, No. 875-XII of 21 March 1991, the verification procedure for such matters is established by the Cabinet of Ministers of Ukraine.

181. As at February 2014, there was no practical mechanism for implementing the current legal requirements in respect of verification by the Labour Inspectorate and its regional agencies of employer compliance with articles 19 and 20 of the Act, since the Cabinet of Ministers had, in its Decision No. 70 of 31 January 2007, approved, inter alia, regulations governing checks on companies, institutions, organizations and individuals that employ workers, empowering the Social Protection Fund for Persons with Disabilities to conduct such checks.

182. The Labour Inspectorate has drawn up a new draft Decision for the Cabinet of Ministers to amend its Decision No. 70. The new text of the regulations proposes not only changing the title of the body in charge of inspection, but also bringing the content of the regulations into line with the general State Labour Inspectorate regulations for monitoring employers (which is established by Order of the Ministry of Social Policy).

183. To make it easier to protect the rights of persons with disabilities in court cases, to reinstate the duty of companies to create jobs for persons with disabilities and to impose penalties for non-compliance with the legislation, a draft Cabinet of Ministers Decision has been prepared to approve new regulations on the number of jobs for persons with disabilities to satisfy the requirements that:

- The main place of employment of a person with disabilities may only be with one company or business employer;
- Persons with disabilities who are employed for or transferred to part-time working days or weeks should be included in the records to reflect only the time they are actually employed.

184. Adoption of the draft Decision will not only make it possible to correct existing legal and regulatory discrepancies, but will also have a significant impact on the results of labour inspections of the employment and recruitment of persons with disabilities.

185. In 2013, State labour inspectors carried out checks on 10,800 employers, including 4,300 public sector employers, for compliance with legislation on the employment and recruitment of persons with disabilities.

186. Four thousand of them, including 3,200 in the public sector, were found to be in breach of the legislation.

187. The checks detected 4,800 violations of the requirements of article 19 of the Act, most of which — 3,500 or 72.9 per cent — concerned failure to meet the quota for the employment of persons with disabilities.

188. Six hundred employers who had eight or more workers were found not to be registered with the Social Protection Fund for Persons with Disabilities and 700 employers had not filed the relevant reports on the employment and recruitment of persons with disabilities.

189. The checks by State labour inspectors produced the following results:

- 3,900 directives to address breaches of the legislation governing the employment and recruitment of persons with disabilities, including 3,100 issued to public sector institutions. In order to meet the Labour Inspectorate requirements, 457 employers have since filed reports on the employment and recruitment of persons with disabilities and 615 persons with disabilities have been given jobs;
- 2,700 reports of administrative offences, including 2,100 concerning public sector institutions, have been compiled and transmitted to the courts under article 188-1, paragraph 2, of the Code of Administrative Offences. Administrative fines to a total of 152,400 hryvnias (Hrv) have been issued;
- Disciplinary proceedings have been brought against 472 persons;
- 1,478 inspection reports have been submitted to the office of the Social Protection Fund for Persons with Disabilities.

190. To ensure effective monitoring of compliance with legal requirements concerning the employment and recruitment of persons with disabilities by public sector institutions, pursuant to an instruction from the Minister for Social Policy on strengthening controls on these matters in the social sphere, the Labour Inspectorate and its regional agencies have carried out an extensive verification of executive authorities, companies, institutions and organizations funded from State or local budgets.

191. State labour inspectors have checked 3,500 public sector institutions, which, according to information from the Social Protection Fund for Persons with Disabilities, had not submitted reports on the employment and recruitment of persons with disabilities, and/or had not met their quota for the recruitment of persons with disabilities.

192. In total, the inspectors found that 3,000 public sector institutions (85.7 per cent) were in breach of the legislation.

193. There were 3,300 violations of article 19 of the Act on Basic Social Protection for Persons with Disabilities, most of them — 2,800 or 85 per cent — concerning failure to meet the quota for the recruitment of persons with disabilities.

194. The inspections resulted in 2,900 directives to address violations of the legislation on the employment and recruitment of persons with disabilities.

195. To meet the Labour Inspectorate's requirements, 213 public sector institutions have since registered with offices of the Social Protection Fund for Persons with Disabilities, 263 have filed reports on the employment and recruitment of persons with disabilities, and 523 persons with disabilities have been given employment.

196. Inspections of public sector institutions resulted in 2,000 reports of administrative offences being compiled and submitted to the courts under article 188-1, paragraph 2, of the Code of Administrative Offences. Fines have been issued to a total of Hrv 85,000. A total of 868 directives concerning disciplinary proceedings have been issued in respect of officials of public sector institutions. Disciplinary proceedings have been brought against 268 individuals.

11. Please specify what measures are in place to reduce the extent of the informal economy and to guarantee access of persons employed in the informal economy to basic services and social protection and the enjoyment of their rights under the Covenant.

197. The Employment Act, which came into force on 1 January 2013, was intended, among other things, to reduce the extent of informal employment. The Act includes a

number of mechanisms for encouraging employers to create new legal jobs and to legalize existing ones.

198. These include compensation to the employer for the single social security contribution for unemployed persons from socially vulnerable categories of the population recruited into new jobs, and for unemployed persons recruited into small businesses engaged in priority economic activities.

199. Implementation of the Act, together with the legalization of existing jobs and the creation of new jobs by employers, will help to make companies more socially responsible and give employees social protection from unemployment, as well as the services to which they are entitled under social insurance legislation.

Article 7
The right to just and favourable conditions of work

12. Please indicate the current level of minimum wages and clarify whether it is periodically reviewed with a view to ensuring that it provides for a decent living for workers and their families. Please outline the measures taken to ensure that the minimum wage for workers in the coal sector is in compliance with the level set out in the mining sector collective agreement. Please also provide information on measures taken to address the problem of wage arrears.

200. The social guarantee of remuneration (the minimum wage) is subject to an annual increase to protect low-paid categories of workers.

201. Both workers' needs and the macroindicators of the country's economic development are taken into account, in line with the provisions of the International Labour Organization Convention concerning Minimum Wage Fixing, with Special Reference to Developing Countries (No. 131).

202. The minimum wage is set by the Verkhovna Rada of Ukraine on submission by the Cabinet of Ministers at least once each year of the State Budget Act, taking account of negotiated proposals made by representatives of trade unions and business owners or their authorized agents who have met to hold collective negotiations and conclude a general agreement; it is revised in line with changes in the minimum subsistence level for employable persons (Remuneration of Labour Act, art. 10).

203. Proposals for the minimum wage for the year in question are drawn up during the negotiations between the social partners who discuss, inter alia, the factors to be taken into account in setting the minimum wage, including the needs of workers and their families and indicators of the country's economic development, such as the average salary level, the employment rate and budget capacity.

204. The State Budget Act 2014 set the following minimum wage for the year:

- Monthly wage: From 1 January: Hrv 1,218; from 1 July: Hrv 1,250; from 1 October: Hrv 1,301;
- Hourly wage: From 1 January: Hrv 7.3; from 1 July: Hrv 7.49; from 1 October: Hrv 7.8.

205. Since November 2009, the minimum wage has been set on the level of the subsistence level for employable persons.

206. The weighted average minimum wage in 2014 will be more than 234 per cent of the figure for 2008 (Hrv 532.5 in 2008 compared to Hrv 1,246.8 in 2014).

207. If a business is going through financial difficulties, article 14 of the Remuneration of Labour Act allows it to apply, for a period not exceeding six months, the norms of a collective agreement authorizing payment at below the standard levels set by general, industry or intersectoral agreements, but not below State standards and pay guarantees.

208. Information from the Ministry of Energy and the Coal Industry dated 1 July 2013 shows that workers in coal mining enterprises under the aegis of the Ministry (except the State Krasnolimanskaya Coal Company) had been transferred to a base rate of pay calculated on the basis of the minimum wage of Hrv 1,147 and skills (responsibilities) factors (official salary) approved by the industry agreement between the Ministry, other State agencies, the coal industry owners (owners' associations) and the national trade unions for the coal industry.

13. Please clarify whether a procedure for monitoring the compliance of employers with the legislation on advertising vacancies is in place and whether the State Labour Inspectorate can, in practice, take measures against those breaching the said legislation and impose appropriate sanctions, and provide relevant statistics. Please also report on the activities of the State Labour Inspectorate aimed at reducing the number of violations of the labour legislation, in particular illegal dismissal, compliance with minimum wages and remuneration for work.

209. In accordance with article 50 of the Employment Act, No. 5067-VI, employers are required to provide the State Employment Centre with full and timely information on their labour requirements (vacancies). However, the Act contains no provision for sanctions against employers who fail to submit such information.

210. In 2013, the Employment Centre received information from employers on 1.2 million vacancies, 25,900 more than in 2012.

211. Pursuant to the new version of the Employment Act, Presidential Decree No. 19 of 16 January 2013 amended the Regulations on the State Labour Inspectorate, allowing it to monitor compliance with the Act and its requirements in respect of the content of vacancy (recruitment) announcements.

212. The Inspectorate drafted a Cabinet of Ministers Decision approving regulations governing fines for breaches of the legislation and for non-compliance with the requirements concerning the content of vacancy (recruitment) announcements.

213. During the work with the relevant executive agencies to come to agreement on the draft text, a number of comments were made on excluding provisions establishing the fines procedure for failure to comply with the requirements on the content of vacancy (recruitment) announcements.

214. A new article 24, establishing advertisers' liability for failure to comply with those requirements and imposing fines, was added to the concluding provisions of the Employment Act, No. 5067-VI of 5 July 2012. It establishes who imposes the fines, who pays them and where they are paid. However, it does not establish the procedure for imposing the fines and does not authorize any of the central executive agencies to do so, meaning that there is no mechanism for the implementation of State oversight (monitoring) of compliance with this article.

215. Several meetings were held with representatives of the State Agency for Business Promotion and Regulatory Policy and the Ministry of Justice to address this issue, which resulted in the provisions being excluded from the draft.

216. Given this, the Labour Inspectorate decided to resolve the issue by means of a draft Order by the Ministry of Social Policy approving laws and regulations on State monitoring by officials of the State Labour Inspectorate and its regional agencies.

217. The draft was agreed upon with the Ministry of Social Policy, and conclusions with comments were received from the employers' joint representative body and the trade unions' joint representative body.

218. During the drafting process with the State Agency for Business Promotion and Regulatory Policy, the draft enactment was withdrawn for further modification using the methodology for developing criteria to assess the level of risk of business activities and the frequency of State oversight (monitoring) approved by Government Decision No. 752 of 28 August 2013.

219. It is thus proposed to address the issue as follows:

(1) Compliance with the requirements concerning the content of vacancy announcements should be verified by means of audiovisual examination of the content of such announcements on television and radio, in the press, in outdoor and indoor advertising, and in advertising on transport;

(2) If an inconsistency with article 24[1] of the Advertising Act is found in a vacancy (recruitment) announcement, it is proposed that an inspector should have the right to photograph or video record it, and to compile a briefing note in line with the appendix to the bill;

(3) Along with the briefing note on the non-compliance of the vacancy announcement with article 24[1] of the Advertising Act, it is proposed that the inspector should be authorized to require:

- The advertiser to pay, within 15 days, the fine provided for in article 24[1], paragraph 3, of the Advertising Act;
- The distributor to suspend distribution of the vacancy announcement;

(4) A letter should be sent to the advertiser and to the distributor by registered mail, with confirmation of delivery;

(5) If fines are voluntarily unpaid, the regional agencies of the State Employment Service should take such case to court on the basis of the records supplied by the State Labour Inspectorate or its regional agencies;

(6) The procedure for interaction between the regional agencies of the State Labour Inspectorate and those of the State Employment Service should be laid out in an order of the Ministry of Social Policy.

220. The activities of the State Employment Service and its regional agencies are directed mainly at raising awareness and conducting preventive and advisory work with audiences at regional level and specifically within each company.

	2011	*2012*	*2013*
Suggestions made on eliminating and preventing breaches of labour legislation and in respect of compulsory State social insurance, to:	67 772	43 277	32 870
• the central authorities	4 732	3 049	6 381
• business owners (employers)	62 297	39 671	26 071
• the working bodies of funds' executive directorates	743	557	418
Preventive measures taken to apply, explain and publicize legislation on employment and the compulsory State social insurance system	34 315	28 031	35 431
of which: in the mass media	2 113	3 183	7 428

14. Please provide further information, including relevant statistics, on measures taken to address the high rate of accidents and work-related illnesses, on the enforcement of rules governing occupational safety and health in practice, and on the monitoring system and sanctions that are applied.

221. In 2013, to prevent accidents in the workplace, the regional agencies of the State Service of Mining Supervision and Industrial Safety carried out 154,115 inspections of businesses and their production facilities, in the course of which 1,587,616 violations were found. Service officials temporarily suspended work and services in 67,975 cases where they identified threats to workers' lives.

222. In planning such checks, attention is focused on businesses with a high level of risk, and on conducting preventive activities in those businesses to help avoid accidents.

223. The number of inspections of companies and their production facilities in a specific industry can, if necessary, be increased within the limits of the established frequency for tests, if so indicated by an analysis of industrial injuries. A special monitoring schedule may also be introduced and licences revoked for the use of high-risk machines or mechanisms if these have led to an incident or a fatal accident.

224. With a view to improving safety at work and ensuring that employers establish working conditions that comply with occupational safety legislation, the State Service of Mining Supervision and Industrial Safety initiated the drafting of Act No. 4837-VI, of 24 May 2012, amending the Code of Administrative Offences and the Criminal Code in respect of liability for violating requirements concerning occupational safety and the protection of mineral resources. The Act provides for a significant increase in fines imposed on officials and employees who violate the occupational safety legislation that came into force on 15 June 2012.

225. The State Service of Mining Supervision and Industrial Safety has developed a nationwide social programme, approved by Act No. 178-VII of 4 April 2013, to improve health and safety at work and the working environment for the period 2014–2018.

226. As a result of the measures taken, the number of accidents in the workplace fell by 1 248 cases, or 13 per cent, from 9,816 in 2012 to 8,568 in 2013, and the number of fatal industrial accidents fell by 85, or 14 per cent, from 623 in 2012 to 538 in 2013.

227. There are currently 797 pieces of legislation on occupational safety, most of them safety regulations, in the State Register.

228. The enactment concerning checks on businesses (or production facilities), approved by the Ministry of Emergencies Order No. 826 of 11 August 2011 and registered by the Ministry of Justice on 27 December 2011 under No. 1531/20269, which includes a section specifically describing occupational safety violations detected during checks, specifies the paragraph number referred to, as well as the title and details of the legislation.

229. The State monitoring of economic activities is regulated in law by the Act on the Basic Principles of State Monitoring of Economic Activity, No. 877-V of 5 April 2007.

230. Pursuant to the Act, the Mining Supervision Service has developed criteria for assessing the degree of risk to occupational health and safety involved in economic activities, and for setting the frequency of State monitoring. The criteria were approved by the Cabinet of Ministers in its Decision No. 413 of 28 April 2009, as amended by its Decision No. 67 of 16 January 2013.

231. The regulations for the organization and implementation of State supervision of mining, industrial safety and occupational safety within the Service's system, approved in the above-mentioned Ministry of Emergencies Order, constitute the main legislation governing the procedure for such inspections by officials of the Service's regional offices.

232. In line with the Regulations, the officials draw up a report on the inspection of the business (production facility) in standard form, with an exclusive list of the issues checked. Issues that do not feature on the list may not be checked.

233. If violations are found, the Service official draws up a mandatory directive on the basis of the enactment.

234. As of 1 July 2013, in line with amendments made to article 5 of the Act on the Basic Principles of State Monitoring of Economic Activity, an administrative court may, after considering a claim by the inspecting authority for the application of response measures, order a partial or total halt to production, work and the provision of services.

235. Work or production may be halted or restricted where the following are found during an inspection:

- Violations of occupational health and industrial safety legislation that represent a threat to workers' lives;
- Violations of the Code of Mineral Resources;
- Lack of authorization to perform high-risk operations or to operate (use) high-risk machines, mechanisms or equipment;
- Non-compliance with the set procedure or time limits for technical inspection, testing or surveying of high-risk machines, mechanisms and equipment;
- Occurrence of an accident causing death or serious injury, or involving several people.

236. Pursuant to article 265 of the Labour Code, any person guilty of violating labour legislation bears liability in line with the legislation in force.

237. Article 44 of the Occupational Safety Act provides for disciplinary, material, administrative and criminal liability.

238. State Service officials have the right to impose administrative penalties, normally fines, on individuals found guilty. Administrative liability is incurred for violations of labour legislation, as stipulated in the Code of Administrative Offences.

239. However, not all occupational safety laws and regulations meet the standards of the ILO conventions ratified by Ukraine, particularly in respect of defining the grounds for unplanned inspections and the rights and powers of officials carrying out State oversight.

Article 8
Trade union rights

15. Please clarify the requirements for the registration of trade unions and the obstacles that may be encountered in the registration process and provide information on the exercise of the right to strike in practice, including data on the number of strikes. Please indicate the specific categories of public servants whose right to strike is restricted or prohibited. Please also provide information on the legal and policy frameworks concerning the right to collective bargaining, including limitations on this right.

240. Under article 16 of the Act on Trade Unions, Their Rights and Guarantees relating to Their Activities, for trade unions or trade union federations to be given legal status, their founders or the leaders of their elected bodies must submit an application, to which must be appended the Charter (Regulations) of the trade union, the report of a congress, conference or constituent or general meeting of the members, with the decision approving the report,

and information about the elected bodies, the existence of the trade union organization in the relevant territorial units and its founders. Organizations that operate under the statutes of a specific trade union submit notification of their membership of that union to the authorizing body in their area, citing the union's certificate of legal status, and, on that basis, they are included in the register of voluntary associations.

241. Pursuant to paragraph 5 of the same article, an authorizing body may not refuse legal recognition to a trade union or an association of trade unions. Article 16, paragraph 6, of the Trade Unions Act specifies that, in the event of an inconsistency in the documents submitted, the authorizing body shall request the trade union or federation of trade unions to provide the additional documentation necessary to confirm its status.

242. Article 44 of the Constitution states that all working persons have the right to strike to protect their economic and social interests. The procedure for exercising the right to strike is established by law, taking into account the need to ensure national security, health protection, and the rights and freedoms of other persons. No one shall be forced to participate or refrain from participating in a strike. A strike may be prohibited only on the basis of the law.

243. The procedure for exercising the right to strike is laid down in the Act governing the authorization procedure for collective labour disputes, taking account of the need to ensure national security, health protection and the rights and freedoms of other persons.

244. The Act sets forth the conditions in which the right to strike may be exercised, the procedure for giving notice of a strike and for the strike to take place, and cases in which it is forbidden to strike, as well as the consequences for workers of participation in a strike.

245. The general cases in which it is forbidden to strike are given in article 24, paragraph 1, of the Act: a strike is not permitted where a halt to work will create a threat to the life or health of persons or the environment or interfere with the prevention of natural disasters, accidents, catastrophes, epidemics, epizootics or the elimination of their consequences. Employees of the procuratorial system, the courts, the Ukrainian armed forces, government bodies and the agencies responsible for State security and law and order (except technical and service personnel) are not permitted to strike.

246. Certain categories of workers are prohibited from striking when carrying out specific jobs, in specific locations and in specific situations, as provided for in the Civil Service Act, the Local Authorities Act and the Diplomatic Service Act, among others.

247. Article 1 of the Civil Service Act, No. 3723-XII of 16 December 1993, refers to the professional activities of persons serving in government bodies and departments, carrying out practical tasks and functions of the State and receiving a salary from public sector resources. Such individuals are civil servants and are accorded the relevant functional authority.

248. Pursuant to article 16, paragraph 2, of the Act, civil servants may not take part in strikes or commit other acts that hinder the normal functioning of a government agency.

249. Under article 1, paragraph 1 (2), of the Civil Service Act, No. 4050-VI of 17 November 2011, which will come into force on 1 January 2015, a civil servant is a citizen of Ukraine who holds a civil service post within a government authority or agency or an authority or agency of the Autonomous Republic of Crimea, receives a salary from public sector resources, except in cases specified by law, and exercises the powers vested in such a post that are directly related to the implementation of the tasks and functions of the government body or authority of the Autonomous Republic of Crimea.

250. However, under article 13 of the Act, concerning the requirement of political impartiality, a civil servant must perform his or her duties impartially, independent of party

affiliation and personal political beliefs. A civil servant does not have the right to organize or take part in strikes. In the performance of official duties, a civil servant does not have the right to carry out actions that demonstrate his or her political views or attest to a particular relationship with a specific political party.

251. The main purpose of the restrictions on strikes by civil servants provided for under the Civil Service Act is primarily to guarantee national security and respect for the rights and legitimate interests of companies, institutions and organizations, and for human and civil rights and freedoms. The Act does not impose restrictions on the right of civil servants as working citizens to protect their economic and social interests by other methods provided for in national legislation.

252. The right to collective agreements is protected by the Constitution, the Labour Code and the Acts on Trade Unions, Their Rights and Guarantees relating to Their Activities, on Employers' Organizations, their Associations, Rights and Guarantees for their Activities, on the Social Dialogue in Ukraine and on Collective Agreements. Pursuant to article 1 of the Collective Agreements Act, in the version No. 5458-VI of 16 October 2012, a collective agreement is concluded on the basis of current legislation and the obligations adopted by the parties with a view to regulating production, labour and socioeconomic relations and reconciling the interests of workers and employers.

253. In accordance with articles 2 and 3 of the Act, a collective agreement may be concluded in companies, institutions or organizations, irrespective of their form of ownership or economic management, that use wage labour and have the status of legal persons, between the employer on the one hand, and, on the other, one or more trade union bodies, or, in the absence of such bodies, representatives of the employees, elected and authorized by the workforce.

254. The Act provides that the procedure for negotiations on the development, conclusion or amendment of a collective agreement and its content shall be determined by the parties, within their areas of competence (arts. 10 and 7).

255. An agreement may be concluded at the following levels: national (general agreement), industry (industry or intersectoral agreement) or regional (regional agreement), on a bilateral or a trilateral basis.

256. Article 4 of the Act provides that the right to negotiate and conclude collective agreements is open to the parties to social dialogue, whose composition is determined in accordance with the Act on Social Dialogue.

257. According to article 4 of the Act on Social Dialogue (No. 2862-VI of 23 December 2010), the following are considered as the parties to social dialogue:

- At national level: for the trade unions, associations of trade unions that have national status; for the employers, associations of employers' organizations that have national status; for the executive authorities, the Cabinet of Ministers of Ukraine;
- At industry level: for the trade unions, national trade unions and their associations that operate within one or several types of economic activity; for the employers, national employers' organizations that operate within one or several types of economic activity; for the executive authorities, the relevant central executive authorities;
- At regional level: for the trade unions, trade unions at the appropriate level and their associations operating in the relevant territorial unit; for the employers, employers' organizations and their associations operating in the relevant territorial unit; for the executive authorities, local executive authorities operating in the relevant territorial

unit. The local self-government authorities of the relevant territorial unit may also be party to the social dialogue, within the limits of their legal competence;

- At the local level: for the workers, the grass-roots trade union organizations, or, in the absence of such bodies, representatives of the workers freely elected for the purpose of collective bargaining negotiations; for the employer, the employer and/or the employer's authorized representatives.

258. Trade unions and employers shall participate in collective negotiations on collective agreements, in tripartite or bilateral bodies or in international activities, on the basis of their representative status.

259. The general criteria for trade unions and employers to have representative status are:

- Legalization (registration) of the said organizations (associations) and their status;
- For trade unions, and trade union organizations and associations: total membership; for employers' organizations and associations: total number of employees in companies belonging to the organizations;
- Industry and regional branch network (Act, art. 5).

260. The criteria for representative status at the different levels of social dialogue are described in article 6 of the Act:

(1) At national level, trade unions associations and associations of employers' organizations are considered to have representative status in collective negotiations on a general agreement if they:

- Have been granted legal status (registered) in accordance with the law;
- Are national-level trade union associations with no fewer than 150,000 members;
- Are national-level associations of employers' organizations, whose members' companies have no fewer than 200,000 workers;
- Include trade unions or their organizations, or associations of employers' organizations, in most of the territorial units of Ukraine as defined in article 133, paragraph 2, of the Constitution, as well as no fewer than three national-level trade unions or no fewer than three national-level associations of employers' organizations.

(2) At industry level, trade unions and their associations and employers' organizations and their associations are considered to have representative status in collective negotiations on a general agreement if they:

- Have been granted legal status (registered) in accordance with the law;
- Are national-level trade unions whose members make up no less than 3 per cent of the workforce employed in the industry concerned;
- Are national-level associations of employers' organizations, established by industry, whose members' companies account for no less than 5 per cent of workers employed in the relevant type(s) of economic activities.

(3) At the regional level, trade unions and their associations and employers' organizations and their associations are considered to have representative status in collective negotiations on a general agreement if they:

- Have been granted legal status (regis‘ered) in accordance with the law;

- Are provincial or local trade unions, their organizations or associations created on a regional basis, whose members make up no less than 2 per cent of the employed population in the respective territorial unit;
- Are employers' organizations or their associations operating in the territorial unit, whose members' companies account for no less than 5 per cent of the working population in the respective territorial unit.

(4) At local level, the following are considered to have representative status under the law in collective negotiations:

- For the workers: grass-roots trade union organizations or, in the absence of such bodies, freely elected representative(s) of the workers;
- For the employer: the employer and/or the employer's authorized representatives.

Trade unions or their associations and employer organizations or their associations that do not meet the above criteria may, if so decided by their elected bodies, authorize representative organizations of appropriate status to represent their interests or, alternatively, submit their proposals to the relevant agencies promoting social dialogue. It is mandatory that the parties consider such proposals when establishing a consensus and adopting decisions.

261. To ensure implementation of the Act, the Cabinet of Ministers of Ukraine adopted Order No. 75-r of 12 February 2013 on some issues arising under the general agreement between the Cabinet of Ministers of Ukraine, national trade union associations and national associations of employers' organizations, and industry (intersectoral) and regional collective agreements. The Order is aimed at realization of the rights of the executive authorities as a party during bilateral or trilateral collective negotiations on issues related to the development, conclusion or amendment of collective agreements at national, industry (intersectoral) and regional levels.

262. Ukrainian legislation does not contain any provisions that prohibit or restrict the right to conclude collective agreements.

263. Currently, the General Agreement regulating the basic principles and norms for the implementation of socioeconomic policies and labour relations in Ukraine, 2010–2012, continues to apply at national level. The parties to social dialogue are conducting collective negotiations on the draft of a new general agreement.

264. As at 1 January 2014, 96 industry and 27 regional agreements had been concluded and registered to regulate production, labour and socioeconomic relations and to reconcile the interests of workers and employers in Ukraine.

265. At local level, data from the State Statistics Service show that 101,712 local collective agreements covering 8,730,000 persons, or 81.4 per cent of the registered number of full-time workers, had been concluded and registered as at 31 December 2012.

Article 9
The right to social security

16. Please explain whether the revised amounts of social security benefits, as indicated in the State party report, allow the recipients and their families a decent standard of living.

266. Under the Compulsory State Social Insurance Fund, the amount of the unemployment benefits and temporary incapacity benefits paid to insured persons depend

on the wages they earned when employed and the length of time that they had been paying into the Fund.

267. A temporary incapacity benefit is granted to an insured person in the form of a cash payment that fully or partially compensates for loss of wages when an insured event occurs. For example, the insured person must have been paying into the Insurance Fund for eight years or longer in order to receive temporary incapacity benefits equivalent to 100 per cent of the average wage.

268. Pregnancy and maternity benefits are paid to insured persons at 100 per cent of the average wage and are not dependent on the length of time that they have been paying into the Fund.

269. The minimum amount of unemployment benefit is set in the light of the need to maintain an unemployed person's motivation to work. Currently, unemployment benefit is 76.9 per cent of the subsistence level for employable persons (which corresponds to the minimum wage).

270. In the case of an accident at work, insurance benefits are paid monthly under the Compulsory State Social Insurance Fund to compensate for lost earnings (or part of such earnings), depending on the degree of incapacity sustained. The amount of the monthly payment is adjusted each year if average wages in the sectors of the national economy rose during the previous calendar year. Once it is set, the amount of the monthly insurance payment cannot be reduced.

271. Measures are being taken to reform the pension system under the 2010–2014 economic reform programme entitled "Prosperous Society, Competitive Economy, Effective State".

272. Over recent years:

- The Act on the Single Compulsory State Social Insurance Contribution came into force on 1 January 2011 for payments to the Pension Fund, and on 1 October 2013 for payments to the Ministry of Revenue and Duties, replacing the payments into four social insurance funds;
- The Act on Legislative Guarantees for the Pension System Reform, which came into force on 1 October 2011, provides for measures to balance the foundation level system and prepare for the introduction of the second level of the pension system: a compulsory contributory system.

273. Under the Act, the retirement age for women will be brought into line with that for men, rising from 55 to 60 years by six-month increments each year until April 2021.

274. As of 1 October 2011, the age at which women who do not have the right to a pension will receive social benefits is also being gradually increased from 58 to 63 years (by six months each year).

275. The pension itself will be increased by 2.5 per cent for every six months' rise in the age of retirement for women. Over 10 years, the amount of the pension may increase by 25 per cent.

276. Until 1 January 2015, women aged 55 will have the right to take early retirement under the following conditions:

- If they have been paying into the insurance fund for no less than 30 years;
- If they are dismissed from their position (pension payments may be suspended if they find another job).

277. In this case, the amount of the pension is reduced by 0.5 per cent for each month by which the retirement is early, although the full amount of the pension may be recovered if a job is found before reaching retirement age or if the pension is voluntarily given up after reaching retirement age.

278. Implementation of the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), ensures, inter alia, a pension equal to 40 per cent of earnings after 30 years of payments into the fund.

279. There are more than 13.5 million persons who receive pensions. In 2013, more than Hrv 250 billion (16 per cent of gross domestic product (GDP)) was spent on pension payments (compared to Hrv 233 billion, or 16.6 per cent of GDP, in 2012). As at 1 January 2014, the average pension was Hrv 1,526.09, which is 4.7 per cent higher than at 1 January 2013 (Hrv 1,470.73).

280. Since 1 April 2008, minimum pensions and other types of social security benefits and allowances constituting the primary means of support for persons no longer able to work have been set at no lower than the minimum subsistence level established by law. The 2014 State Budget of Ukraine Act included increases on 1 July and 1 October in the minimum subsistence level for incapacitated persons.

281. In the long term, in order to reduce demographic pressure on the foundation level system, Ukraine intends to introduce a compulsory contributory system for persons under the age of 25.

17. Please provide further information on the social assistance schemes, and clarify whether self-employed persons who are not eligible for the mandatory sickness and pension insurance and persons in need of income support, including asylum seekers and refugees, have access to these benefits.

282. When an event insured under the compulsory State social insurance scheme occurs, the insured persons receive material assistance and the provision of social services.

283. The scheme's resources come primarily from contributions from employers and insured persons (except for social insurance in the case of accidents at work, for which only employers pay contributions).

284. The legislation governing compulsory State social insurance establishes that the self-employed are subject to the scheme in case of unemployment and for pension insurance.

285. They may also decide to pay the single contribution to the compulsory State social insurance scheme in respect of temporary incapacity and funeral expenses and/or industrial accidents or an occupational disease resulting in the loss of capacity to work.

286. If they pay contributions in respect of temporary incapacity and/or industrial accidents, they are entitled to the cash benefits and social services applicable to these types of social insurance.

287. The conditions in which self-employed persons may make voluntary contributions to pension insurance are explained in the legislation, as is the fact that the premiums paid shall be no less than the minimum insurance contribution (34.7 per cent of the value of the minimum wage). The amount of the single social contribution is calculated within the legally set maximum limit.

288. A person has the right to receive an age-related pension after reaching the age of 60 and having paid into the fund for no less than 15 years.

289. The age-related pension payable to men who have contributed for 35 years and women who have contributed for 30 years is set as the amount of the subsistence level for

persons who are no longer able to work. If an individual has contributed for less than the required period, the pension is paid as a proportion of the minimum age-related pension.

290. Ukrainian citizens who have reached the age set in the Act on State Social Assistance to Persons who do not have the Right to a Pension, and Persons with Disabilities, and persons who have disabilities, who do not receive a pension and who reside permanently on the territory of Ukraine, have the right to State social benefits in the cases and under the conditions provided for by the Act.

291. Persons who have refugee status or who require subsidiary protection have the right to such benefits on an equal footing with Ukrainian citizens in the circumstances described in the above Act, other laws and international treaties to which the Verkhovna Rada has indicated its consent to be bound.

292. Pursuant to the Act, the amount of State social assistance for persons who do not have the right to a pension and persons with disabilities is set on the basis of the subsistence level for persons who are no longer able to work:

- Persons with group I disabilities and women who have been awarded the rank of hero mother – 100 per cent;
- Persons with group II disabilities – 80 per cent;
- Persons with group III disabilities – 60 per cent;
- Members of the clergy and church officers – 50 per cent;
- Persons of the age set in the Act – 30 per cent.

293. The State social assistance for persons who do not have the right to a pension may not be set at less than the subsistence level for persons who are no longer able to work. These benefits are paid to such persons each month in an amount to make up the specified minimum subsistence level.

18. Please report on developments, if any, in introducing a contributory national health insurance system.

294. This information will be provided separately.

19. Please provide updated information on the impact of the reform of the social services system (State party's report, E/C.12/UKR/6, para. 279) on the enjoyment of the right to social security by everyone.

295. The social services system is undergoing a reform, the main purpose of which is to dramatically improve the quality of the services provided, in particular through:

- The creation of a competitive social services market;
- Modernization of the existing infrastructure.

296. The process came into effect with the adoption of Act No. 4523-VI of 15 March 2012 amending some of the laws governing the provision of social services: the Citizens' Associations Act, the State Social Standards and Guarantees Act and the Social Services Act. The changes include the introduction of a social procurement scheme to encourage companies to take on contracts for the provision of social services requested by the local executive or local self-government authorities.

297. A number of laws and regulations have been adopted in implementation of the Act. They simplify the procedure allowing citizens to access social services in the regional social service centre, establish uniform requirements for companies providing such services, regardless of the form of ownership or management, pay for service provision on a differentiated basis and establish the procedure for service procurement.

298. Cabinet of Ministers Order No. 556-r of 8 August 2012 endorsed a strategy for a reform of the social service system that defines its objectives and priorities, and includes measures to expand access to social services for individuals in difficult circumstances who require external assistance and to ensure the quality and effectiveness of the services.

299. The 2013–2016 plan of activities to implement the Strategy was approved by Cabinet of Ministers Order No. 208-r of 13 March.

300. The reform of the system for the provision of social services includes the following:

- Ministry of Social Policy Order No. 282 of 16 May 2012 which approved the procedure for drafting a State standard for social services;
- 15 draft State standards for social services developed, with 7 adopted, on: day care, a shelter for homeless persons, social reintegration and integration for homeless persons, the provision of social services for victims of human trafficking (three standards) and home care;
- Identification of social service needs by local executive authorities, on the basis of which plans are now being developed for a service provision system, including with the involvement of non-governmental organizations.

301. Work is being done on:

- Introducing ways of deinstitutionalizing residential facilities, in particular by setting up day care and temporary stay sections within them, as well as youth sections and workshops;
- Developing mechanisms for monitoring and checking the delivery of social services;
- Standardizing approaches to information exchange by establishing a single information hub at the point of decision-making on the provision of services and payments.

302. Work is being done to develop new types of social services and innovative forms of social work:

- Encouraging almost 17,500 persons in 24 regions to undertake training in various areas through educational services provided by the University of the Third Age;
- Providing palliative care services: social services in the home for around 200 terminally ill persons living alone who are no longer able to work;
- Introducing new approaches to the provision of social services with the establishment of multidisciplinary teams;
- Providing social services in the home for persons with mental illnesses;
- Providing transport for older persons and persons with disabilities using dedicated transport services;
- Providing pensioners and persons with disabilities with information services, case management services, emergency social assistance, legal advice, etc., through new structural units known as social offices.

303. A network of institutions providing social services has been set up with the participation of State, local executive and local self-government authorities:

- 733 regional social service centres that provide social services to citizens directly at their place of residence;

- 324 residential homes, including 74 residential homes for older citizens and persons with disabilities; 38 care homes for war and labour veterans; 152 care homes for persons with neuropsychiatric symptoms; 5 special homes; and 55 children's homes;
- 118 institutions for homeless persons and institutions for persons who have served custodial or semi-custodial sentences.

304. The regional centres are located in each district centre, city and urban district. They serve more than 1.5 million citizens in need of social services and living at home.

305. To help older citizens remain physically and socially active, the regional centres have the following units: social assistance in the home, help with independent living, medical services, the provision of targeted assistance in cash and in kind; and residential facilities for temporary or permanent stays.

306. Residential homes for older citizens and persons with disabilities cater for 54,800 individuals.

307. Persons no longer able to work who live alone and persons with disabilities who require constant care for health reasons are entitled to social services in these institutions. Such individuals are provided with the necessary social services free of charge. Persons living in care homes who have family members pay to stay there.

308. The residential homes for older citizens, persons with disabilities and the sick provide appropriate living conditions that meet health and sanitary requirements, with round-the-clock care, medical rehabilitation and help with independent living, as well as the necessary medical assistance and various types of social services.

309. To improve the work of residential institutions and enhance staff skills and competencies, various organizational activities are held and training is provided, in particular on assessing the status and determining the needs of long-term care service users, as well as improving the outcome of individual rehabilitation programmes.

310. In working with children with disabilities, the basic intention is to correct psychophysical disorders as far as possible, to help the children cope with everyday tasks and thus improve their social status, to provide the conditions they need in terms of accommodation, health care and domestic services, and to organize education and the rehabilitation process, as well as vocational rehabilitation.

311. Production workshops have been set up in the institutions to teach children with disabilities certain labour skills in order to help them cope with everyday tasks and to offer them vocational rehabilitation. These workshops generally produce clothing and cardboard and carpentry items.

312. Physical and sports rehabilitation is also worked on actively.

313. Since 2004, together with the Torun surgical dressing factory (Poland), the Ministry of Social Policy has organized annual football tournaments for persons with disabilities, in the context of the SENI CUP football league for persons with disabilities.

314. In 2012, during the Ukrainian national sports tournament for persons with disabilities, organized under the aegis of the SENI CUP-2012 international football league for persons with disabilities, football, checkers, chess and darts competitions were held between the residential care facilities run by the labour and social protection agencies.

315. Stage I, the active phase, of the social services reform and the deinstitutionalization of residential institutions will begin with the introduction of the following into children's homes:

- Day-care sections for children with disabilities;

- Temporary stay sections.

316. Public monitoring of the work of the residential institutions has been facilitated through the setting up of a government telephone hotline, as well as supervisory boards for the different institutions and community councils for each residential home.

317. Together with the regional social protection authorities, the Ministry of Social Policy is continuing to develop systems to help homeless persons reintegrate into society and former prisoners to live independently.

318. To improve the legislative framework, laws have been adopted addressing the fundamentals of social protection for homeless persons and street children, and help with independent living for persons serving or who have served custodial or semi-custodial sentences.

319. An order laying out key actions for preventing homelessness for the period to 2017 was approved under Cabinet of Ministers Decree No. 162 of 13 March 2013.

320. The Council on Social Protection for the Homeless and Former Prisoners, a standing consultative body reporting to the Cabinet of Ministers established pursuant to Cabinet of Ministers Decree No. 538 of 30 June 2010, is helping to coordinate the activities of the central and local executive authorities and non-State agencies that help the homeless and former prisoners.

321. The Ministry of Social Policy has approved a number of orders concerning the organization of this work.

322. Ukraine currently has 118 agencies providing social services for homeless persons and former prisoners.

323. During the first half of 2013, 8,700 persons registered with centres for the homeless, and temporary shelters helped over 5,000 persons.

Article 10
Protection of the family, mothers and children

20. Please provide information on the measures taken, legislative or otherwise, to combat domestic violence and ensure that perpetrators are adequately sanctioned and victims have access to effective means of redress and immediate protection, including through a sufficient number of shelters available throughout the country.

324. To improve existing national legislation on preventing violence in the family and to avoid certain lacunae and inconsistencies that impede the proper and effective application of the Prevention of Family Violence Act, the Ministry of Social Policy has drawn up a bill on preventing and combating domestic violence. The bill was approved by the Government on 13 March 2013 and was registered in the Verkhovna Rada the following day under No. 2539.

325. In particular, the bill replaces the term "family violence" by "domestic violence", expands the range of persons to whom the law applies, as well as the list of bodies and agencies responsible for activities related to preventing family violence, and establishes their mandate in this area.

326. As part of the preparations for ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the Ministry of Social Policy and the central executive authorities, international organizations and civil society organizations have formed a working group to

look at improving the legislation on preventing violence in the family to bring it into line with the Convention.

327. Under the action plan for the national "Stop Violence!" campaign for the period to 2015 (Cabinet of Ministers Order No. 2154 of 1 December 2010), the Ministry has put together a training programme on family violence prevention for social workers, social services professionals and other professionals who provide social services.

328. The action plan included awareness-raising activities during the annual national "16 Days against Violence" campaign, from 25 November to 10 December 2013.

329. During the campaign, the Ministry participated in:

- "From peace in the family to peace in Ukraine" (a flash mob and a press briefing), in conjunction with the international charity HealthRight International (25 November 2013);
- A press lunch on "Women and men in Ukraine: equality or violence?", in conjunction with the Coordinator of the Organisation for Security and Co-operation in Europe in Ukraine (25 November 2013);
- Capacity-building studies for managers and professionals in the regional social service centres for families, children and young people and the children's services, which implement government policy on the prevention of family violence and child abuse (November 2013).

330. Ministry staff were also available for consultation on the national domestic violence prevention telephone hotline and the national children's hotline, which deals with child abuse and other violations of children's rights (26–27 November 2013 and 28–29 November 2013).

331. In the regions, the structural units responsible for implementing government policy on the prevention of family violence, social services centres for families, children and young people, the children's services, law enforcement agencies and international and local non-governmental organizations conducted public information and other activities to raise awareness to help prevent family violence and child abuse, and to encourage all sections of the population to refuse to accept violence.

332. During the campaign, the following were held in the regions:

- A meeting of coordinating councils on preventing family violence, ensuring equal opportunities for women and men, and combating human trafficking;
- A series of thematic informational, training and educational activities (lectures, discussions, seminars, training sessions, round-table meetings, parenting classes, educational consultations, school groups, open lessons and competitions) for pupils, teachers and parents to talk about the issue of domestic violence and the prevention of child abuse.

333. A legal education week was held, involving parents' associations and student group leaders, with thematic activities, parent conferences and meetings on children's rights, overcoming violence in the family, social and legal protection of children, and risk-taking behaviours in students.

334. Spot checks were carried out in families during which actual or potential cases of violence were recorded, and living conditions and respect for children's rights to home and property were monitored.

335. Literary exhibitions aimed at preventing family violence and child abuse were organized on the themes of "A World without Violence", "Domestic Violence" and "Childhood without Violence", and stands and displays were set up.

336. Information and educational materials on preventing actual or potential cases of family violence were developed, published and distributed. These included promotional flyers, postcards, posters, brochures, booklets and bracelets with the slogans "No to violence", "Stop violence" and "Stay human", as well as mini-flyers and other printed products.

337. The annual campaign in the regions was covered widely in the media with, in particular, continuous coverage by regional television and radio channels, regular features in newspapers, and videos broadcast on television as well as on the official websites of the Autonomous Republic of Crimea, the provinces and the Kyiv and Sevastopol municipal administrations.

338. In 2013, there were 22 different social and psychological support centres in the regions: in the Autonomous Republic of Crimea, in Volynka, Dnipropetrovsk, Donetsk, Zhytomyr, Zakarpattia, Zaporizhzhya, Ivano-Frankivsk, Kirovohrad, Luhansk, Lviv, Mykolayiv, Odesa, Rivne, Sumy, Ternopil, Khmelnytskyy, Cherkasy, Chernivtsi and Chernihiv provinces, and in the cities of Kyiv and Sevastopol.

339. The services offered by the centres are used by persons who, because of complex circumstances (resulting from disability, age, state of health, social status, habits or way of life, natural disasters, crimes committed against them, actual or potential cases of family violence, or other complicated circumstances) do not have, either partially or fully, the ability or capacity to take care of their own personal (family) life or to participate in society, and are unable to surmount the consequences on their own.

21. Please provide information on the impact of the National Strategy for the Prevention of Child Abandonment until 2020 on the decrease in the high number of children deprived of a family environment and on the promotion of family-type care for such children. Please also report on efforts to address the situation of street children, including ensuring their protection, rehabilitation and social reintegration.

340. The National Strategy for the Prevention of Child Abandonment for the period to 2020 was approved under Presidential Decree No. 609/2012 of 22 October 2012.

341. Cabinet of Ministers Decision No. 341 of 15 May 2013 approved the State Special Strategy on Support for Families for the period to 2016.

342. To prevent child abandonment and to provide the necessary support to families in which the parents (or persons acting in loco parentis) were not properly meeting their responsibilities towards their children, the social service centres for families, children and young people catered for 16,062 families with 32,922 children whose parents (or persons acting in loco parentis) were not fulfilling their duties.

343. During 2013, the removal of 23,712 children from their families was avoided, a figure almost eight times higher than in 2012 (during 2012, only 2,982 children remained in their families as a result of social assistance provided).

344. In addition, a series of measures have been taken in the country over the past few years to address the right of the child to be brought up in a family environment and the interests of orphans and children deprived of parental care. This has resulted in a downwards trend in the number of orphans and children deprived of parental care in Ukraine.

345. There were 100,787 children in this category at the end of 2009, but that figure had fallen by 10,067 to 90,720 by the end of 2013.

346. As at 30 December 2013, there were in Ukraine:

- 881 family-type children's homes, where 5,890 children were being cared for;
- 4,199 foster families, looking after 7,579 children.

347. During 2013, 2,488 children — more than ever before, and 81 more than in 2012 — were placed in foster families and family-type children's homes.

348. A total of 164 family-type children's homes were set up that year, 14 more than in 2012.

349. As at 30 December 2013, 13,469 children were living in foster care and family-type children's homes (compared to 11,751 children in 2012).

350. On average, 14.8 per cent of all orphans and children deprived of parental care are cared for in foster families and family-type children's homes.

351. A further 63,662 orphans and children deprived of parental care live in the families of their tutors or guardians.

352. This makes a total of 77,131 orphans and children deprived of parental care who are being looked after in family-based forms of care (75,010 in 2012).

353. On average, 85 per cent of such children are being brought up in family-based forms of care (80.7 per cent in 2012).

354. The children's services, together with the juvenile criminal militia units, the social services and the health and education departments have, furthermore, systematically organized preventive activities (spot checks) with the aim of preventing child homelessness and juvenile delinquency, and to ensure that appropriate social protection and support measures are taken, and legal and medical assistance provided for children in difficult circumstances. The purpose of the checks is to identify children who are at risk and in need of urgent integrated assistance.

355. For example, the over 33,000 such checks conducted in 2013 resulted in appropriate assistance and social protection for 13,200 children.

356. Professional assistance is also provided to children affected by different types of violence, and neglected and street children are taken in by the children's services and juvenile social and psychological support centres. Alongside the integrated social, psychological, educational, medical, legal and other types of assistance that they provide, the centres also cater for the individual psychological, special education and rehabilitation needs of the children, some of whom have suffered various forms of violence or child trafficking.

22. Please report on targeted measures taken to combat child labour and the impact thereof. Please clarify whether the prohibition on the employment of children under the age of 15 applies to all economic sectors, all places of work, and all forms of economic activity. Please also clarify the definition and scope of "light work" for children and indicate the measures taken to ensure its effective monitoring by labour inspection services, including in the informal economy.

357. Pursuant to the Labour Code (arts. 51, 122, 187–195 and 201–211), persons under the age of 18 who have the right to take on employment shall enjoy the benefits prescribed by Ukrainian legislation on labour protection, working hours, leave and some other working conditions:

- Children aged under 16 may not be engaged for employment. With the consent of one of the parents or persons acting in loco parentis, children may, exceptionally, be engaged for employment from the age of 15. For the purposes of training young

people for work, students aged 14 or older who are at general education, vocational or secondary specialized schools may be employed in their free time to perform light work that does not harm their health or interrupt their schooling, subject to the consent of one of their parents or the persons acting in loco parentis;

- Each enterprise, institution and organization must keep a special record of its workers under the age of 18, showing their date of birth;
- Persons under the age of 18 may not be used for heavy work, work in hazardous or dangerous conditions, or underground work. The list of jobs involving heavy work and work in hazardous or dangerous conditions in which minors may not be employed was approved by Ministry of Health Order No. 46 of 31 March 1994. It is prohibited to use persons under the age of 18 to lift or move articles that exceed the weight limits prescribed for them (Ministry of Health Order No. 59 of 22 March 1996 approving restrictions on persons under the age of 18 lifting or moving loads);
- Children aged under 18 may not be employed in night work, or overtime or weekend work;
- For the purposes of training young people for work, students aged 14 or older who are at general education, vocational or secondary specialized schools may be employed in their free time to perform light work which does not harm their health or interrupt their schooling, subject to the consent of one of their parents or the persons acting in loco parentis;
- Workers studying in secondary schools or vocational colleges while in full-time employment have a shortened working week or reduced daily working hours while retaining their set wages; they also enjoy other benefits;
- Reduced working hours apply as follows to: workers aged 16 to 18: 36 hours per week; those aged 15 to 16 (and students in the 14–15 age group working during school holidays): 24 hours per week. Students who work in their free time during the academic year may work no more than half of the maximum period stipulated above for persons of their age;
- Persons under 18 on a shortened workday are paid the same as the corresponding categories of workers on a full workday. Students of general education, vocational and secondary specialized schools who work in their free time are paid in proportion to the time worked or depending on productivity. Companies may establish supplementary payments for schoolchildren's wages. Workers who are studying successfully in evening secondary general education schools, classes or groups, by either direct or distance learning, have their working week reduced by one working day or the corresponding number of working hours (a shortened working day throughout the week) during the school year. They are released from work during the school year for no more than 36 working days in the case of a 6-day working week, or by the corresponding number of working hours. In the case of a five-day working week, the number of days that they may be released from work varies depending on the length of the work shift, keeping the same number of work-free hours;
- For training and skills upgrading, especially for young people, the company owner or his or her designated agent organizes individual, team, short-term and other vocational training paid for by the enterprise, organization or institution. The owner or his or her designated agent must make it possible for workers who are following vocational training or studying in colleges while in full-time employment to combine their work with their studies. In the context of direct on-the-job training for new workers, theoretical classes and vocational education in the form of individual,

team or short-course studies are provided during working hours, as established by law for workers of the appropriate age, profession and industry. When workers are given time off work for further training, they retain their place of work (post) and receive pay, as provided in the law;

- Annual leave for workers under the age of 18 is granted at a convenient time. On request, employees under the age of 18 may be given their full annual leave in the first year of work before they have completed six months of continuous work at the enterprise, institution or organization. Furthermore, employees who are studying for a general secondary education in evening secondary schools, classes or groups by either direct or distance learning, are granted additional paid leave during the examination period:

  1. Final elementary school examinations – 10 calendar days;

  2. Final senior school examinations – 23 calendar days;

  3. Transitional examinations in elementary and senior schools – from 4 to 6 calendar days.

358. Employees who sit primary or secondary school examinations as external candidates are granted additional paid leave for a period of 21 and 28 calendar days, respectively:

- The recruitment of any person aged under 18 must be preceded by a medical examination, and further medical examinations must be conducted annually thereafter until the person reaches the age of 21.

359. With a view to monitoring implementation of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), and observance of the legislation governing child labour, the Ministry of Social Policy and the State Labour Inspectorate instruct the regional labour inspectorates and children's services of the provinces and Kyiv and Sevastopol municipal administrations, together with representatives of other monitoring bodies, to organize systematic joint inspections for compliance with legislation on child labour in enterprises, institutions and organizations of various forms of ownership.

360. During these inspections, particular attention is paid to examining and discussing issues related to compliance with legislation, in accordance with articles 24, 48, 51, 188–192, 194 and 196–198 of the Labour Code, the Acts on Compensation of Citizens for Income in respect of Breaches of Wage Payment Dates, on Leave, etc., and the recommendations of ILO Convention No. 182.

361. For example, during 2013, the regional labour inspectorates, together with the children's services and representatives of other regulatory bodies, conducted 9,746 checks on enterprises, institutions and organizations, during which 546 were found to be using 1,082 children for labour (14 children aged 14 to 15, 76 aged 15 to 16 and others aged 16 to 18).

362. Violations of legislation concerning the following were identified in 529 enterprises:

- Medical examination (both the annual and the pre-recruitment examinations);
- The opening and the updating of work-record books;
- Official employment papers in general;
- Standard working hours;
- Illegal wages;
- Arrears in the payment of wages;
- Work without the necessary training.

363. On the basis of the inspections for compliance with legislation on child labour conducted in 2013, a number of measures were adopted to protect children's rights:

- 557 directives were issued;
- 325 reports were filed with the courts for the institution of administrative proceedings against officials;
- Information on 26 companies was transmitted to the law enforcement agencies;
- A total of 264 orders were issued for the institution of disciplinary proceedings against employers;
- Around 1,136 awareness-raising events were held for children and their parents.

364. As defined by the International Labour Organization (ILO), the monitoring of child labour is an active process intended to stop the use of child labour. It includes regular monitoring visits to identify children who are working and assess the risks to which they are exposed, further monitoring of their situation, and educational and preventive work with them.

365. The monitoring of child labour is conducted jointly by the agencies and organizations, and includes the identification and distribution of responsibilities between them on the basis of their mandates and their capacity to assess the situation, to remove working children and support them during rehabilitation, and to participate in policy formulation.

366. When carrying out inspections for compliance with labour legislation, government inspectors also monitor compliance with legislation on child labour and, where violations are found, take measures within the limits of their mandate to redress them and to prosecute the officials responsible.

	2011	*2012*	*2013*
Number of employers found to be using child labour	579	540	546
Number of minors working in companies inspected	1 065	1 026	1 082
Number of children working without official employment papers	136	44	49

367. Employer compliance with labour legislation is subject to constant monitoring by the State Labour Inspectorate.

23. Please indicate whether progress has been made in combating trafficking in persons, particularly trafficking of children for labour or sexual exploitation, and provide information on the number of trafficking cases reported, the sentences imposed on perpetrators and the redress and compensation offered to victims.

368. In implementation of the Trafficking in Persons Act, a regulatory and legal framework for combating human trafficking was developed in 2013. The following were adopted:

- Cabinet of Ministers Decision No 71 of 4 February 2013 amending some Cabinet of Ministers decisions on the use of State budget funds allocated to the Ministry of Social Policy; it introduced changes to Cabinet of Ministers Decision No. 268 of 28 February 2011 on payment of a single emolument to women awarded the title of hero mother with the inclusion of an article on payment of a lump-sum cash grant to victims of trafficking in persons, in accordance with the relevant regulations (Cabinet of Ministers Decision No. 660 of 25 July 2012);

- Cabinet of Ministers Decision No. 72 of 4 February 2013 amending paragraph 3 of the regulations governing the use of State budget funds for the implementation of State policy on families and children;
- Ministry of Social Policy Order No. 99 of 5 March 2013 concerning approval of the request form for the allocation of public funds for the payment of lump-sum cash grants to victims of trafficking in persons;
- Ministry of Social Policy Order No. 105 of 7 March 2013 on the establishment of a working group to improve the laws and regulations on combating human trafficking;
- Ministry of Social Policy Order No. 432 of 19 August 2013 approving recommendations on social services for victims of trafficking. The Order has been developed for use in providing assistance and services to victims of trafficking in persons who request help from the local State administrations;
- Ministry of Social Policy Order No. 458 of 30 July 2013 approving standards for the provision of social services to victims of trafficking in persons. The Order comprises three standards on:

  1. Services aimed at the social prevention of trafficking in persons;

  2. Services aimed at the social integration and reintegration of victims of trafficking;

  3. Services aimed at the social integration and reintegration of child victims of trafficking (registered with the Ministry of Justice as Nos. 1327/23859, 1328/23860 and 1329/23861 of 5 August 2013);

  4. Ministry of Social Policy Order No. 508 of 16 August 2013 approving a training programme for specialists in providing assistance to victims of trafficking, which is included in the curricula and annual schedules of training centres offering retraining and capacity development for staff of government authorities, local self-government authorities, public enterprises, institutions and organizations.

369. Pursuant to the Trafficking in Persons Act, victims of trafficking can, where needed, have access to integrated psychological, educational, medical and legal support or information and other types of care in one of the existing networks of social services centres for families, children and young people, psychological support centres or local social service centres.

370. There are 22 psychological support centres operating as round-the-clock inpatient facilities, and each of them is designed to cater for up to 15 people at a time. The main objective is to provide comprehensive emergency care (psychological support, accommodation, educational and medical care, information, legal services, etc.) to victims of trafficking to help them return to normal life as soon as possible.

371. In the first nine months of 2013, the round-the-clock inpatient facilities of the psychological support centres catered for 1,269 persons, of whom 749 were adults and 520 were minors.

372. The day-patient facilities assisted 1,201 persons, 2,945 persons received one-time allowances and 4,205 persons had telephone consultations.

373. In the first nine months of 2013, 2,129 persons left the psychological support centres, 1,072 left the round-the-clock inpatient facilities and 1,057 left the day-patient facilities.

374. The psychological support centres are funded from local budgets under the implementation of programmes for children, young people, women and families, and other sources not prohibited by current law.

375. In 2012, they were allocated Hrv 11,561,000 from the local budget.

376. Victims may access assistance in the regional social services centres, of which there are currently 736. The regional centres work on the basis of targeted and individually tailored assistance, accessibility and openness, a voluntary approach, free choice of whether or not to accept the social services provided, humanity, comprehensiveness, maximum efficiency in the use of budgetary and extrabudgetary resources, the rule of law, social justice, guaranteed confidentiality, quality standards and responsibility for compliance with ethical and legal norms.

377. Child victims of trafficking in persons can be accommodated in juvenile psychological support centres or children's shelters.

378. As at 18 October 2013, there were 80 such centres in Ukraine, as well as 28 children's shelters offering long-term (inpatient) or day-patient care for children in difficult circumstances.

379. The juvenile psychological support centres received more than Hrv 98,000 in funding in 2012 and over Hrv 100,000 in the first half of 2013.

380. The children's shelters received more than Hrv 113,000 in funding in 2012 and over Hrv 40,000 in the first half of 2013.

381. As at 1 January 2014, the Ministry of Social Policy had recognized 54 persons as victims of human trafficking: 20 women, 25 men and 9 children:

- 48 were Ukrainian citizens and 6 were foreign nationals (citizens of Pakistan and the Russian Federation);
- 25 cases involved labour exploitation: 14 were cases of sexual exploitation, 7 were cases of begging, and 4 were mixed cases (labour and sexual exploitation);
- 3 cases involved the removal of organs;
- 1 case involved the selling of a child;

382. All of the nine child victims were girls:

- Eight were Ukrainian citizens and one was a foreign national (Russian Federation);
- Five had been subjected to sexual exploitation, one to labour exploitation, one was a case of begging, one was a mixed case (labour and sexual exploitation) and one case involved the selling of a child.

383. The countries of destination were: Ukraine (four cases), Russian Federation (three) and Poland (two).

384. Rehabilitation plans have been drawn up for all the victims, in accordance with the law, and appropriate assistance has been provided.

385. All the applications for lump-sum cash support payments for victims of trafficking (a total of 30 applications) have led to payments totalling Hrv 43,882.30.

386. Ukrainian diplomatic missions and consulates abroad provide assistance to Ukrainian nationals who fall victim to human trafficking: they are provided with travel documents so that they can return to Ukraine; Ukrainian nationals receive advisory, legal and material support, as well as logistic and material help on their return home; the local

and Ukrainian law enforcement authorities are informed immediately of cases of human trafficking so that they can carry out checks and prosecute those responsible.

387. With the assistance of the Ministry of Foreign Affairs, a total of 24 victims of human trafficking in other countries were able to return to their homeland in 2013; they were: 2 persons (including 1 minor) from Poland; 1 person from Germany; 2 from Cyprus; 1 from Turkey (who had been a victim of trafficking in Syria); 1 from Israel; 10 from China; 6 from Russia (including 1 victim of trafficking in the territory of Abkhazia); and 1 from Slovakia.

388. The Ministry of Social Policy collaborates actively with the OSCE project coordinator in Ukraine, the representative of the International Organization for Migration (IOM) in Ukraine, the La Strada-Ukraine International Women's Rights Centre and the Ukrainian national coalition of non-governmental organizations working on combating trafficking in persons (28 organizations), with which the Ministry signed a cooperation agreement in 2013.

Article 11
The right to an adequate standard of living

24. Please provide updated statistical data, on an annual basis since 2009, on the percentage of the population living below the poverty line, disaggregated by sex, age, rural/urban population, and ethnic group, as well as information on the evolution of the consumer price index. Please provide information on measures taken to combat poverty, especially in rural areas and among the disadvantaged and marginalized groups, including Roma, persons with disabilities, families with three or more children and with children under the age of 3, families with unemployed members, households comprised of older persons, single-parent households and immigrant families.

389. In order to address the problem of poverty in Ukraine, the National Poverty Reduction and Prevention Programme for the period to 2015 was adopted by Cabinet of Ministers Decision No. 1057 of 31 August 2011.

390. The Programme sets out the main thrusts for reducing poverty by: raising social standards, promoting employment, improving remuneration, increasing pensions, reforming the pension system, improving social insurance, the social protection system, medical services and social support for young people and families, and protecting children's rights.

391. The aim of the Programme is to reduce the number of persons living in poverty in rural areas, including those in work, families with children (especially large families), orphans, children deprived of parental care, street children, unemployed persons, persons with disabilities, pensioners and homeless persons.

392. The Programme includes implementation of the following measures:

- Increased State assistance for low-income families, families with children and children with disabilities;
- Social protection for persons with disabilities;
- Social and educational services, medical care, help with the reissuance of documents, registration of place of residence and employment support for homeless persons;
- Better assessment procedure for awarding pensions;
- Reduction of the unemployment rate in rural areas.

393. Monitoring of poverty indicators has produced the following data:

- Overall poverty rate in Ukraine (according to set criteria): 2009 – 26.4 per cent; 2010 – 24.1 per cent; 2011 – 24.3 per cent; 2012 – 25.5 per cent; 2013 (first six months) – 25.4 per cent;
- Poverty among men: 2010 – 24.6 per cent; 2011 – 24.8 per cent; 2012 – 25.4 per cent; 2013 (first six months) – 25.7 per cent;
- Poverty among women: 2010 – 23.7 per cent; 2011 – 23.9 per cent; 2012 – 25.6 per cent; 2013 (first six months) – 25.1 per cent;
- Poverty among children: 2010 – 32.7 per cent; 2011 – 32.0 per cent; 2012 – 33.1 per cent; 2013 (first six months) – 33.4 per cent;
- Poverty among those in employment: 2010 – 19.6 per cent; 2011 – 19.6 per cent; 2012 – 20.7 per cent; 2013 (first six months) – 20.9 per cent;
- Poverty among persons of pensionable age: 2010 – 19.4 per cent; 2011 – 20.5 per cent; 2012 – 21.5 per cent; 2013 (first six months) – 20.6 per cent;
- Poverty among households with three or more children: 2010 – 58.4 per cent; 2011 – 55.8 per cent; 2012 – 58.6 per cent; 2013 (first six months) – 61.7 per cent;
- Poverty among households with children under 3 years old: 2010 – 35.2 per cent; 2011 – 36.0 per cent; 2012 – 35.3 per cent; 2013 (first six months) – 35.7 per cent;
- Poverty among households with children where there are adults both in and out of work: 2010 – 36.3 per cent; 2011 – 38.8 per cent; 2012 – 37.9 per cent; 2013 (first six months) – 36.6 per cent;
- Poverty among households where all members are of pensionable age: 2010 – 16.0 per cent; 2011 – 16.9 per cent; 2012 – 17.8 per cent; 2013 (first six months) – 15.8 per cent.

394. Poverty rates according to area of residence:

- Urban settlements: 2010 – 20.2 per cent; 2011 – 20.7 per cent; 2012 – 20.8 per cent; 2013 (first six months) – 20.9 per cent;
- Rural areas: 2010 – 32.3 per cent; 2011 – 32.1 per cent; 2012 – 35.5 per cent; 2013 (first six months) – 34.8 per cent.

395. An analysis of the basic poverty indicators for 2013 (first quarter and first half-year) shows positive movement in the first quarter. Although the poverty rates had not yet returned to the lower levels of 2011, it is possible that the increase in living standards in 2012 was a one-off occurrence with no impact on the overall trend.

396. The consumer price index (December to December) was: 2010 – 109.1 per cent; 2011 – 104.6 per cent; 2012 – 99.8 per cent; 2013 – 100.5 per cent (Annex 3).

397. The social policy of Ukraine is designed to address the main challenges – improving living standards for families, children and young people, beginning from pregnancy, through childbirth and childcare, and offering support to the most vulnerable sections of the population, in particular lone mothers, low-income families, and families raising orphans or children deprived of parental care.

398. In particular, young families are provided with financial support during the birth of a child, the amount being dependent on the number of children already born to the family and the minimum subsistence level.

399. As at 1 January 2014, the allowance was Hrv 30,960 for the first child, Hrv 61,920 for the second child and Hrv 123,840 for the third and subsequent children.

400. Furthermore, social protection for families is provided under the State Social Assistance for Low-Income Families Act, the eligibility criteria being based on the family's income.

401. In 2012, in order to gradually increase the level of this type of support, the Government raised social support payments for persons with disabilities and pensioners to 100 per cent of the minimum subsistence level, and for children to 75 per cent, rising to 85 per cent from 1 January 2014, of the minimum subsistence level.

402. Aside from this support for low-income families, from 2014 an additional payment will be made for each child growing up in a low-income family. In February 2014, these additional payments were:

- For children aged 3 to 13 years – Hrv 250;
- For children aged 13 to 18 years – Hrv 500.

25. Please clarify whether the domestic criteria for adequate housing are in line with article 11 of the Covenant and the Committee's general comment No. 4 (1991) on the right to adequate housing. Please indicate the measures taken to improve the substandard housing conditions of many Roma and Crimean Tatars and ensure legal security of tenure and to provide adequate housing to refugees and asylum seekers, including unaccompanied children.

403. Village, settlement and city councils and district State administrations in the Autonomous Republic of Crimea have set up information stands on the ongoing issues of land allocation.

404. From 1 January 2013 to 20 December 2013, the heads of the regional offices of the State Land Resources Agency of Ukraine in the Autonomous Republic of Crimea held individual meetings with 12,073 citizens, including 3,731 former deportees, to clarify the mechanism for allocating and registering land.

405. Within that time frame, the local self-government and executive authorities received a total of 16,789 applications from citizens for land in the Autonomous Republic of Crimea, 2,596 of which were from former deportees.

406. At the same time, local self-government bodies held 516 sessions on land issues with the participation of experts from the regional offices of the Land Resource Agency in the Autonomous Republic of Crimea.

407. Local self-government and executive authorities in the Autonomous Republic of Crimea adopted 10,493 decisions to issue permits for land use documentation or landownership transfers; 1,901 of these decisions concerned citizens who are former deportees.

408. Under article 14 of the Constitution, the right to own land is guaranteed, and is acquired and realized by citizens, legal entities and the State solely in accordance with the law. Article 116, paragraph 1, of the Land Code establishes that citizens and legal entities acquire land titles and the right to use plots of State or communally owned lands by decision of the executive or local self-government authorities, within the limits of their powers as established in the Land Code, or following an auction.

409. The procedure for allocating plots of land for use is set out in article 123 of the Land Code, plots of land are rented out in accordance with the requirements of article 124, taking into account articles 134–139, and land titles are acquired in accordance with article 118 of the Code.

410. The grounds on which land use rights may be withdrawn are established in article 141 of the Code, and those for withdrawing land titles in article 140.

411. Under article 152 of the Code, the State guarantees equal protection of land titles for citizens and legal entities. Land title holders or land users may demand that any violation of their rights to the land be halted, even if the violation is not associated with deprivation of their rights to the plot of land, and claim compensation for losses.

412. The land titles of citizens and legal entities are protected in the following ways:

- Recognition of rights;
- Reinstatement of the status of plots of land as they existed before any violation of the land titles, and warnings about activities that violate or might lead to the violation of land titles;
- Invalidation of transactions;
- Invalidation of decisions taken by the executive or local self-government authorities;
- Compensation for losses;
- Other methods, as provided for by law.

413. To address landownership issues related to squatted land in the Autonomous Republic of Crimea, a Commission was established by Decision No. 8 of 31 January 2001 of the Council of Ministers of the Autonomous Republic of Crimea to resolve the associated problems and to grant former deportees and other citizens plots of land on which to build and install services for residential housing in the city of Simferopol and Simferopol district. The Commission includes representatives of ministries, committees of the Autonomous Republic, the executive authorities and civil society organizations in Crimea, including the Mejlis of the Crimean Tatar People.

414. The Commission has developed a general, step-by-step procedure for resolving the problem. It involves the local self-government authorities seeking out available land and reserving it for all categories of residential and general development. The available plots of land are then considered at a Commission meeting. Where necessary, new general development plans are drawn up for settlements, expanding their borders in order to grant former deportees and other citizens plots of land on which to build and install services for residential houses.

415. Moreover, by implementing the instructions of the Chairperson of the Council of Ministers of the Autonomous Republic of Crimea, the Republican Committee for the Protection of the Land Resources of the Autonomous Republic of Crimea identified an additional 38 plots of land in the Autonomous Republic with a combined surface of 1,112.5 hectares that could be granted to former deportees and other citizens — regardless of their ethnic group — who are interested in obtaining plots of land on which to build and install services for residential houses.

416. Work is continuing at present to release squatted land and provide former deportees and other citizens with plots of land across the Autonomous Republic of Crimea.

417. Order of the Cabinet of Ministers of Ukraine No. 605-r of 22 August 2012 approved the Plan to Integrate Refugees and Persons in Need of Subsidiary Protection into Ukrainian Society for the period to 2020.

418. Information about improving the living conditions of Roma is provided in the response to paragraph 5.

419. At present there are 2,578 officially recognized refugees and 230 persons in need of subsidiary protection in Ukraine.

420. Foreigners in this category have settled unevenly across the different regions of Ukraine. The majority live in Kyiv – 1,244, Odesa province – 822, Kharkiv province - 118 and Zakarpattia province – 101.

421. In 2013, the regional agencies of the State Migration Service received applications from 994 persons seeking protection through recognition as refugees or persons in need of subsidiary protection. In 2013, most of the applicants were from the Syrian Arab Republic (312), Afghanistan (269), the Russian Federation (38), the Islamic Republic of Iran (38) and Iraq (30).

422. In 2013, 52 children separated from their families (compared to 77 in 2012) arrived in Ukraine: 69.2 per cent, that is 36 children, applied through a legal representative for refugee status or subsidiary protection. Four children separated from their families have been granted protection in Ukraine and 17 others have submitted applications.

423. There are two temporary refugee accommodation services in the country: one in Odesa with 200 places and the other in Zakarpattia province with 130 places (in Mukacheve and Perechyn towns). They provide temporary accommodation for the most vulnerable persons seeking asylum or refugee status (large families with small children, lone mothers, etc). In 2013, in order to improve living conditions at the temporary residences, refurbishment works were carried out with financial support from the Office of the United Nations High Commissioner for Refugees Regional Representation for Belarus, the Republic of Moldova and Ukraine.

424. Moreover, the State Migration Service is working to finish refurbishing and open a temporary refugee accommodation centre with 353 places in Yahotyn, Kyiv province.

425. Pursuant to the Refugees and Persons Requiring Subsidiary or Temporary Protection Act, a child separated from his or her family who has applied for refugee status or subsidiary protection is placed in a suitable children's institution or family by the migration services in cooperation with the tutorship and guardianship agencies. In 2013, 14 such children (40 per cent of the total) were placed in suitable children's institutions; the rest were living in rented apartments with others from their country of origin.

Article 12
The right to physical and mental health

26. Please provide information on the reform of the health-care system and its impact on the enjoyment of the right to health by everyone in accordance with article 12 of the Covenant and taking into account the Committee's general comment No. 14 (2000) on the right to the highest attainable standard of health. Please outline the concrete measures taken to improve the quality and availability of health-care services, especially in rural areas and for disadvantaged and marginalized groups. Please also report on measures taken, and their impact thereof, to address the problem of inadequate infrastructure of the primary health-care system, the high health-care costs, the persistent shortage of certain drugs and the significant drop in vaccination coverage.

426. Information will be provided separately.

27. Please provide information on measures taken to reduce high HIV infection rates and to address the limited coverage of adequate testing, periodic shortages of antiretroviral (ARV) drugs, lack of laboratory monitoring and low antiretroviral therapy (ART) coverage. Please also provide information (a) on the budget allocated to support the HIV prevention programmes, in particular opioid substation therapy (OST) and needle and syringe exchange (NSE) programmes; (b) on the geographical

coverage of OST programmes and on their availability for drug dependent persons in detention facilities, including pretrial detention centres and prisons.

427. Tackling HIV/AIDS remains one of the most significant and high-profile social issues in Ukraine today. Data evaluated by international experts indicates that more than 230,000 Ukrainian citizens are affected by HIV; the majority are of working and childbearing age.

428. Comprehensive, multi-year activities in this field run by the authorities, alongside civil society and international organizations, have led to the first statistically confirmed indications that the HIV/AIDS epidemic in Ukraine is stabilizing.

429. In 2012, for the first time in Ukraine, a drop was registered in the number of new HIV infections, which was 1.6 per cent lower than in 2011. The number of persons receiving a new HIV diagnosis in 2012 fell to 45.5 per 100,000 population, compared to 46.2 per 100,000 population in 2011.

430. At present, a steady positive trend can be seen, with a reduction in the number of new HIV infections among young people: by 2012, the number of officially registered HIV-positive persons in the 15–24 age group had fallen by almost 41 per cent compared to 2005.

431. Between 2006 and 2012, a gradual reduction took place in Ukraine in the number of newly registered HIV infections among injecting drug users.

432. In 2012, the incidence of new HIV infections among injecting drug users fell by 17 per cent compared to 2006. The frequency of mother-to-child-transmission of HIV has fallen by 82 per cent, from 27.8 per cent in 2001 to 4.9 per cent in 2010.

433. HIV treatment coverage remains low in Eastern Europe and Central Asia; estimates indicate that only 25 per cent of persons prescribed HIV treatment actually receive it. Of all the countries in the region, only Georgia and Romania have a level of treatment coverage above 60 per cent. The level of coverage for antiretroviral therapy (ART) in Ukraine was 47 per cent in 2012. There are plans to increase ART coverage to 80 per cent by the end of 2018, which should have an impact on the relentless march of the HIV epidemic in Ukraine.

434. The draft National HIV/AIDS Programme 2014–2018 (bill No. 3738 of 6 December 2013) has been approved by the Ukrainian Government and forwarded for consideration by the Verkhovna Rada.

435. The aim of the Programme is to reduce HIV-related morbidity and mortality through good quality and accessible HIV prevention and diagnosis services, primarily among populations at higher risk of infection, and to provide treatment, care and support services for persons living with HIV under the health-care system reform.

436. Projects under the Programme include:

- Introducing external quality evaluation for the testing of donated blood;
- Using new early diagnosis technologies for children born to HIV-positive mothers;
- Using antiretroviral therapy at an earlier stage of the disease, with the aim of preventing the spread of HIV;
- Piloting new management and funding models and innovative ways of organizing medical care for persons living with HIV;
- Introducing a social service procurement mechanism for HIV/AIDS prevention services;

- Developing and introducing a single epidemiological and clinical monitoring system for HIV infection.

437. Implementing the Programme provides an opportunity to:

- Significantly reduce the number of new infections and gradually decrease the likelihood of infection with HIV;
- Reduce by 50 per cent the risk to medical staff of infection with HIV when treating patients;
- Reduce by 50 per cent the number of new cases among populations at higher risk of HIV infection;
- Reduce to 1 per cent the numbers infected through mother-to-child transmission of HIV;
- Provide access to prevention programmes for all members of population groups at higher risk of HIV infection;
- Provide HIV prevention and healthy lifestyle programmes for all schoolchildren and students;
- Provide medical assistance, and social care and support services for all HIV-positive persons under medical supervision at a health-care establishment;
- Provide access to continuous ART for all HIV-positive persons who need it;
- Reduce the tuberculosis (TB) mortality rate by 50 per cent among persons with HIV/TB co-infection;
- Get at least 35 per cent of persons who inject opioid drugs onto regular substitution therapy and into rehabilitation programmes;
- Foster public tolerance towards persons living with HIV and members of populations at higher risk of infection, and reduce by 50 per cent the level of discrimination they experience.

438. In the 2014 State budget, expenditure to implement the medical elements of the National Programme on HIV Prevention, and Treatment, Care and Support for Persons Living with HIV/AIDS was included in the following budget programmes:

- The Ministry of Health programme on medical activities under different State programmes and integrated programme measures (KPKVK 2301400), a total allocation of Hrv 2,118.1 million;
- The National Academy of Medical Sciences Programme on the diagnosis and treatment of diseases through the introduction of experimental and new medical technologies and specialized outpatient consultation assistance, provided by the research institutions of the National Academy of Medical Sciences (KPKVK 6561060), a total allocation of Hrv 1,104.6 million.

439. Medical assistance is provided for HIV-positive persons in detention facilities in two infectious disease wards: 40 beds in the infectious disease ward of the general hospital in the State Prisons Service Darevsk correctional colony in Kherson province (No. 10), and 80 beds in the infectious disease ward of the general hospital in the Service's Donetsk correctional colony in Donetsk province (No. 124). All somatic and tuberculosis hospitals have infectious disease units (22 units). Twenty-one posts for infectious disease specialists have been introduced in Prison Service health-care facilities.

440. The total number of HIV-positive persons in detention facilities in Ukraine, as at 1 January 2014, is 7,080, which is 5.6 per cent of the overall number of prisoners and

detainees. The number of persons receiving ART, as at 1 January 2014 is 2,844, or 39.7 per cent of all HIV-positive prisoners. The 773 patients released who were prescribed treatment and provided with ART for two months included individuals who had been released from a remand centre. The number of persons receiving ART in 2014, compared to 2009, has increased 13-fold. It is planned to prescribe treatment for 3,200 HIV-positive persons in 2014.

441. The high concentration of HIV-positive persons among prisoners and detainees puts particular demands on the organization of HIV testing in prison service facilities. The principle task of the Prison Service health department is to prevent the spread of infection, both within the system and outside it, following the release of prisoners. Therefore, in 2013, 53,000 persons were tested, which is 32 per cent more than in 2012. New HIV infections were detected in 1,370 of these persons (according to the latest information).

442. In 2012, there were 313 deaths, which is 75 less than in 2011. In 2013, there were 273 deaths, which is 40 less than in 2012.

443. During 2013, certificate-level courses, on improving pre- and post-test consultations, HIV treatment and ART prescription were held for 403 medical professionals from Prison Service health-care facilities.

444. The joint order of the Ministry of Health, the Ministry of Internal Affairs, the Ministry of Justice and the State Drug Control Service, No. 821/937/1549/5/156 of 22 October 2013, on agreeing on the procedure for cooperation between health-care establishments, the police, remand centres and correctional centres to provide continuity of treatment with substitution therapy is implemented in all the remand centres, and a register is kept of persons who were receiving substitution therapy prior to their detention. On entering a remand centre, persons receiving substitution therapy are put on the register and are then sent to the regional drug dispensary to receive treatment. During 2013, 15 persons receiving substitution therapy passed through remand centres.

Data on funding for the National Programme on HIV Prevention, and Treatment, Care and Support for Persons Living with HIV/AIDS for 2009–2013

Year	*2009 (millions of Hrv)*	*2010 (millions of Hrv)*	*2011 (millions of Hrv)*	*2012 (millions of Hrv)*	*2013 (millions of Hrv)*
Funding planned under the Programme	23.6	36.9	37.7	27.6	28.7
Actual funding	0	10	5	5	10
Percentage of planned funding	0%	27.1%	13.2%	18.1%	34.8%

445. The Programme did not include any funding for the substitution therapy programme or HIV prevention activities.

28. Please report on concrete measures taken, and their impact thereof, to address the prevalence of tuberculosis (including the high multidrug-resistant tuberculosis (MDR-TB) and the reported lack of anti-TB drugs, deficient infection control activities, low impact of detection efforts and inadequate service delivery at the primary health-care level.

446. Action to combat the tuberculosis epidemic is undertaken through the Act on the National Tuberculosis Programme 2012–2016. The aim of the Programme is to tackle the epidemic by implementing State policies to reduce the number of TB cases, reduce the related morbidity and mortality rates as well as co-infection (TB/HIV) rates and slow the pace of spread of multidrug-resistant tuberculosis.

447. The Programme was developed with due consideration of the requirements of the Tuberculosis Act (No. 4564-VI) adopted by the Verkhovna Rada on 22 March 2012.

448. A range of measures are set out in the Programme to ensure that the Act is implemented. They include:

- The integration of TB services into primary and secondary health-care facilities offering treatment and prevention, with the aim of involving them in active detection of the disease;
- Skills development for staff of the tuberculosis service;
- Improved material and technical resources for health-care facilities that provide services to TB patients in order to ensure that treatment and infectious disease control standards are met and public health and epidemic prevention rules and regulations are observed.

449. To have a real impact on the tuberculosis epidemic there is now, for the first time in Ukraine, access to up-to-date diagnostic methods. BACTEC apparatus has been purchased and supplied to six level III laboratories that did not previously have automated systems for detecting Mycobacterium tuberculosis and determining its susceptibility to anti-tuberculosis drugs.

450. DNA-based rapid diagnostic tests are also being introduced. Equipment for rapid diagnosis has been bought with Round 9 funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria. The laboratories are now fully equipped with medical supplies. This has led to a significant improvement in the diagnosis of multidrug-resistant tuberculosis.

451. A number of technical medical documents standardizing medical care for TB patients have been completed, they include the standardized clinical protocol for primary, secondary (specialist) and tertiary (consultant) medical care and methods for calculating requirements for anti-tuberculosis drugs. A register of TB patients has also been set up and the records and reports have been improved.

452. Against the background of a gradually stabilizing epidemic, the spread of multidrug-resistant tuberculosis poses a threat.

453. International technical assistance is continuously being sought to support national efforts to implement the National Tuberculosis Programme.

454. The Prisons Service has purchased first- and second-line TB drugs using the funding allocated from the State budget, which was 31 per cent higher than last year. The number of TB patients in the Prisons Service fell by 14 per cent during that time, leading to an increase in supplies of anti-tuberculosis drugs. Furthermore, first-line combination drugs were received as humanitarian aid from the Global Drug Facility.

455. In order to definitively resolve the matter, the Prisons Service is involved in the implementation of Round 9 funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria under the tuberculosis component as a grant subrecipient. There are plans for the Service to use the grant to obtain second-line anti-tuberculosis drugs to treat multidrug-resistant tuberculosis.

456. Furthermore, to improve TB diagnosis and detection, GeneXpert DNA-based testing equipment and related medical supplies will be provided as part of the implementation of the grant. There are also plans to improve diagnostics by expanding access to TB testing with the help of the BACTEC MGIT 960 microbiological analyser.

457. To ensure the timely detection of TB, last year, as in previous years, all convicted persons and persons held in custody underwent miniature mass radiography screening.

458. In order to combat the spread of TB, the Prison Service is continuing to cooperate with the international charity Médecins sans Frontières, which has helped to implement an integrated project in one province that ensures continuity of treatment following the release

of TB patients from places of detention. With the involvement of civil sector health-care institutions, and thanks to Médecins sans Frontières, patients are provided with the necessary anti-tuberculosis and antiretroviral drugs. Diagnostic cover is also provided with the help of the BACTEC MGIT 960 and GeneXpert microbiology testing systems.

459. Last year, for the first time, a Prison Service hospital TB laboratory was subjected to external control of the quality of first- and second-line anti-tuberculosis drug susceptibility testing at the Central Reference Laboratory of the Ministry of Health of Ukraine.

460. The same year, staff at tuberculosis hospitals in the Prisons System and at remand centres were provided with respirators bought using the tuberculosis component of Round 9 funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria. They participated in the implementation of the first phase of the grant through staff training and the installation of computers to keep an electronic register of TB patients.

461. Clear results have been achieved following the implementation of comprehensive tuberculosis control measures, which are reflected in the following figures: in 2013, the case fatality rate in TB hospitals fell by 10 per cent, the TB mortality rate fell by 2 per cent and the morbidity rate in prisons fell by 8 per cent.

29. Please provide information on measures taken to address the prevalence of hepatitis C and ensure access to adequate treatment and care for all in need, including through the Government Programme for Prevention, Diagnosis and Treatment of Viral Hepatitis for 2012–2016.

462. Information will be provided separately.

30. Please provide information on measures taken to further decrease maternal mortality and infant and child mortality rates, to ensure access to sexual and reproductive health services by all sections of the population, and to provide sexual and reproductive health education, in particular for adolescent girls and boys.

463. Information will be provided separately.

Articles 13 and 14
The right to education

31. Please provide information on dropout rates at various levels of education, including statistical data disaggregated by age, sex, nationality and urban/rural areas. Please report on measures taken to eliminate indirect costs (e.g. expenses for schoolbooks, uniforms, transport, special fees such as exam fees, contributions to district education boards etc.), in particular in primary education.

464. Pursuant to Ministry of Education and Science Order No. 1175 of 22 December 2009 on improving the supervision of attendance of children and adolescents of school age, three times a year (15 September, 20 December, 1 May), the local education authorities inform the Ministry of the number of minors who are dropping out of general-education institutions, and the steps being taken to bring them back.

465. According to the Ministry, an analysis of information received from the regions showed that, in December 2013, there were some 435 such pupils, representing 0.009 per cent of the total number of children and adolescents aged between 6 and 18.

466. Although the number of school dropouts nationwide was 624 on 15 September 2013, that figure had fallen to 435 by 20 December 2013. Compared with the same period for the previous year, the number of children not attending school had decreased by 40.

32. Please provide information on measures taken to address the reported segregation of Roma children in education and their overrepresentation in special

education schools. Please report on steps taken to ensure an inclusive education for children with disabilities and to provide access to education to children with intellectual and serious physical disability. Please also indicate what steps have been taken to facilitate access to schooling for asylum-seeking and refugee children, including unaccompanied children.

467. The Ministry of Education and Science, the education authorities, in particular those of Zakarpattia and Odesa provinces, which have significant Roma populations, and teaching staff at general-education institutions ensure the registration, tuition and social adaptation of Roma children and upgrade the facilities at the schools where these children are studying.

468. If their parents so wish, all Roma children can attend preschool; many of them attend these schools free of charge or on preferential terms.

469. Pursuant to the Education Act, the Preschool Education Act and the General Secondary Education Act, Roma children of school age, like children of other ethnic groups, are entitled to choose both the form of tuition and the type of school they attend.

470. As a rule, Roma children study in schools alongside children of other ethnic groups.

471. Roma schoolchildren have the documentation they need for school enrolment: birth certificates, health certificates and certificates bearing their identity code. If these essential documents are missing, education departments take steps to ensure that the children receive them.

472. Depending on their physical condition and level of knowledge, Roma children, like schoolchildren of any other ethnic g oup, may be referred for individual tuition.

473. In order to ensure equal access to high-quality education in general-education institutions in rural areas, free school transport is organized. All Roma schoolchildren are provided with hot meals free of charge.

474. For instance, there are almost 1,200 Roma children of preschool and school age living in Odesa province. The places with the largest Roma populations are Artsyz, Balta, Bilhorod-Dnistrovskyy, Bilyayivka, Bolhrad, Mykolayiv, Izmayil, Kominternivske, Sarata, Tatarbunary and Frunzivka districts and the town of Izmayil.

475. Nine hundred Roma pupils, or almost 100 per cent of school-age Roma children, study alongside children of other ethnic groups at levels I, II and III general-education institutions in Odesa province.

476. Zakarpattia province has a broad network of general-education schools attended by Roma children. There are more than 6,000 pupils from the local Roma community in the province's 127 general-education establishments, constituting 3.6 per cent of the total number of children taught at these schools.

477. In Berehove, for example, there are 11 general-education establishments. Most Roma children (90 per cent) attend levels I and II in general-education school No. 7, which is in the microdistrict where most of the Roma live. Pupils are supplied with computers, textbooks and other learning materials. The school has a cafeteria where pupils in the lower grades receive two meals a day, and pupils in the higher grades have lunch. The school is served by a medical nurse from a local clinic, and a health-care centre is located next to the school. The microdistrict also has a preschool educational institution open 24 hours a day, where Roma children are cared for entirely at the expense of the State.

478. Roma children attend the Pidvynohradiv general-education school (levels I–III) in Vynohradiv district. Not far from the Roma encampment there is a primary school for

children in grades 1–4, while older students are taught with other children from Pidvynohradiv village.

479. At Seredniy general-education school in Uzhhorod district, Roma pupils study alongside pupils of other ethnic groups.

480. The general-education school (levels I–III) in the village of Roztoky, Rakhiv district, is attended by Roma pupils who live in the village, the satellite settlement of Ust-Reky or in the town of Rakhiv.

481. Mizhhirya general-education school No. 2 (levels I–III) is attended by Roma children, who are taught alongside children from other ethnic groups. All the pupils study at the new school in light-filled, spacious classrooms equipped with appropriate learning materials. The Roma pupils are provided with the appropriate textbooks and learning materials. The attendance rate is over 70 per cent. Teachers have a sound grasp of the methods for teaching Roma children, help them to mix freely with their fellow pupils and encourage them to take part in various extracurricular activities. One pupil from this school passed independent external assessment tests and went on to become a law student at Vasyl Stefanyk Prycarpattia National University.

482. Roma children attend Kontsevo general-education school (levels I–III) in Uzhhorod district where lessons are taught in Hungarian.

483. The situation is similar in other territorial units in Ukraine.

484. Thus, the conditions have by and large been created for Roma children to enjoy equal access to high-quality education.

485. The Ministry of Education and Science remains focused on the problems involved in educating Roma children and is working together with Roma community organizations towards their resolution.

486. Education plays a special role in helping persons with disabilities to integrate into society. Under Ukrainian legislation, persons with disabilities are given preferential treatment in the field of education, in particular in respect of admission to vocational training institutions and higher educational establishments.

487. However, there are very few persons with disabilities in the education system: 7,950 children, or 0.6 per cent, in preschools; 58,586 persons, or 1.4 per cent, in general-education establishments; 6,442 persons, or 1.5 per cent, in vocational training institutions; and 18,825 persons, or 0.9 per cent, in higher educational establishments. In view of this, Ukraine is following the example of the international community by taking steps to gradually introduce the practice of inclusive education.

488. In order to bring the primary education syllabus for children with special needs into line with the requirements of the State standard for primary education, approved by Cabinet of Ministers Decision No. 462 of 20 April 2011, the Ministry of Education and Science approved Order No. 1312 of 17 September 2013 on measures for the introduction of the State standard for primary education for children with special educational needs.

489. By Order No. 912 of 1 October 2010, the Ministry of Education and Science approved the outline plan for the development of inclusive education, whose main objectives are:

- To improve the legal, methodological, financial and economic provision for the introduction of inclusive education;
- To introduce innovative educational technologies as part of an inclusive approach and models for the provision of special educational services for children with special educational needs, including those with disabilities;

- To create an environment conducive to learning for children with special educational needs by providing psychological, educational, medical and social support;
- To introduce an inclusive teaching model in general-education schools, taking into account the needs of society;
- To ensure access to the social environment and to classrooms, to develop and use special educational and teaching facilities and rehabilitation training resources;
- To improve the training and retraining system for teachers working in an inclusive educational environment;
- To encourage parents of children with special educational needs to participate in the educational and rehabilitation process in order to increase its effectiveness.

490. Considerable attention is being paid to improving the system for training teachers and developing their skills so that they can work in an inclusive educational environment.

491. The Ministry of Education and Science approved and recommended the introduction of the following courses in higher educational establishments: "Differentiated instruction in inclusive classrooms", "Types of assessment in an inclusive classroom", "Professional cooperation in an inclusive school", "Leadership in an inclusive school" and "Fundamentals of an inclusive education", covering the topics of ethical communication, support and assistance to persons with disabilities.

492. For the 2013 academic year, it was recommended that institutes of higher education providing teacher training in the specialized areas of early childhood education, primary education and social education should introduce the subject "Fundamentals of inclusive education". The subject is included in the curriculum of refresher courses at provincial postgraduate teacher training institutes. A series of seminars on issues related to teaching inclusive education classes was held at the postgraduate level.

493. The education system has an extensive network of institutions with different forms of tuition to guarantee children with special needs the right to education, taking into account the specific characteristics of their psychological and physical development, primarily through the implementation of a range of educational, rehabilitation and special measures. Within the general secondary education system, these institutions are: special schools with a longer school day, boarding schools, special children's homes, associations, educational and rehabilitation centres, specialized classes for gifted children with disabilities and mainstream schools with special and inclusive classes. Children who cannot attend such institutions for health reasons receive individual tuition.

494. In view of public policy, and current trends in education in the context of the Convention on the Rights of Persons with Disabilities, there is a steady improvement in the network of boarding schools, with the introduction of inclusive (integrated) education, and in the development of a new type of general-education institutions – educational and rehabilitation centres for children with severe developmental disorders. This has given the parents of children with special needs a wider choice of facilities for educating their children.

495. According to statistical data for 2013, there are 380 special general-education establishments catering for 45,357 pupils with special educational needs, including 12,742 children with disabilities. They include:

- 328 special boarding schools with 39,682 pupils;
- 32 educational and rehabilitation centres where 4,987 children with special educational needs arising from serious birth defects benefit from comprehensive rehabilitation services;

- 20 special schools with a longer school day where 688 children with developmental disorders receive an education in their local community.

496. In addition, 5,675 children are enrolled in special classes in general-education schools.

497. In order to bring the primary education syllabus for children with special needs into line with the requirements of the State standard for primary education, approved by Cabinet of Ministers Decision No. 462 of 20 April 2011, the Ministry of Education and Science approved Order No. 1312 of 17 September 2013 on measures for the introduction of the State standard for primary education for children with special educational needs.

498. The State guarantees persons with disabilities vocational training at a level appropriate to their skills and abilities. All things being equal, persons with disabilities have priority when enrolling in vocational training institutions. Vocational training and retraining for persons with disabilities is funded from the State budget based on medical advice regarding the type of work to be undertaken. The choice of the types and methods of training is guided by the findings of the medical and social expert commission (Vocational Education Act, art. 42). Current legislation defines the various forms of technical and vocational training, including full-time and part-time training, distance learning and individual tuition plans.

499. For the most part, students with special needs in vocational training institutions are taught in groups together with other students. However, there are cases where this is not possible, so special groups with extended learning times are set up, depending on the type and severity of the condition and the complexity of the educational material. Special groups are formed based on the nature of the condition of the students in question, for example, visual impairment, hearing loss, mental impairment, and so on.

500. In the 2012/13 academic year, there were more than 18,000 students with disabilities attending higher educational institutions, in other words 0.87 per cent of the total number of students in higher education. Of that number, 13,781 students (73 per cent) were enrolled in higher educational institutions with accreditation at levels III–IV and 5,044 students (26 per cent) in institutions with accreditation at levels I–II.

501. As the number of students in this category increases every year (there are now 586 more students with disabilities than last academic year), the Ministry of Education and Science is currently focusing its efforts on integration into society, social protection, and psychological and educational support for persons with special educational needs.

502. According to data from the unified State electronic database on education, in the 2012/13 academic year, there were 6,400 (1.6 per cent of all students) persons with group I and II disabilities and children under the age of 18 with disabilities enrolled for training that did not contradict medical advice in higher educational institutions with accreditation at levels I–IV, of all forms of ownership or administration.

33. Please report on measures taken to mitigate the negative effects of the reduction in educational facilities on children's access to education, in particular in rural areas.

503. In accordance with article 11 of the Act on General Secondary Education, it is local government agencies that decide on the opening, reorganization or closure of educational institutions. The reorganization and closure of communally owned general-education establishments in rural areas is permitted only with the consent of the local communities.

504. The fact that there are fewer schools is due to the falling birth rate and migration from rural areas.

505. In order to prevent schools being closed down unnecessarily, the Cabinet of Ministers adopted Order No. 675 of 5 September 2012 approving recommendations to draw up regional plans for the creation of education zones and the modernization of the network of vocational training institutions and general-education establishments, including boarding schools.

506. To ensure access to education, steps are being taken to build a more effective network of institutions that meet people's educational needs, to upgrade their facilities and to establish more education zones.

507. In 2013, there were 1,974 education zones, covering more than 8,000 institutions attended by more than 1 million students.

508. This has made it possible for people to access and choose the type of institution they wish, to study certain subjects in depth, and to create flexible ways of studying various disciplines, above all in rural areas.

509. Every child has the opportunity to choose his or her own course of study and to develop creative skills and talents. In addition, a coherent system of educational services is being established on many levels, covering preschool to higher education, informal education, participation in research and practical implementation of experience.

510. The rational use of the academic, logistic and human resources of the institutions in the education zone allows for the introduction of modern educational technologies and significantly enhances the quality of public educational services.

511. It is difficult to resolve the problem of ensuring physical and economic access to educational services in Ukraine. Apart from the introduction of information technology, which will partially resolve the situation through the possibilities offered by distance learning and free access to quality information resources for educational purposes, the State must also take care to ensure physical access to education, by organizing transport to institutions for both pupils and teachers.

512. Between 2003 and 2011, 1,361 buses were purchased with State funding, and in 2012 a record number of vehicles — 900 — were purchased under the school bus programme. In 2013, Hrv 165,910,400 were earmarked for the purchase of school buses to provide transport for children in rural areas and 412 buses were purchased with State funding.

Article 15
Cultural rights

34. Please provide further information on the measures taken to provide Crimean Tatars with appropriate opportunities to preserve, develop, express and disseminate their language, culture and religious practices.

513. The State's assistance in reviving and developing the teaching of children in the mother tongue of the Crimean Tatars plays an important role in the social and cultural integration of this group.

514. The Autonomous Republic of Crimea has:

- 15 schools with instruction in Crimean Tatar (3,000 students in 182 classes);
- 1 school with instruction in Crimean Tatar and some classes with Ukrainian as the language of instruction (809 students in 40 classes).

515. Additionally, there are also general education schools with two or three languages of instruction:

- 20 schools with instruction in Crimean Tatar and Russian;
- 27 schools with instruction in Ukrainian, Crimean Tatar and Russian;
- 368 schools with instruction in Russian.

516. In the 2013/14 academic year, 12,396 students were studying Crimean Tatar as a subject and 6,840 as an optional course.

517. This year there are 506 preschool facilities in operation in the Autonomous Republic of Crimea, catering for some 59,900 children. Of these, one has Crimean Tatar as the language of instruction and childcare and another is bilingual (Ukrainian and Crimean Tatar).

518. Thirty-three groups using Crimean Tatar for instruction and childcare have been opened at 23 Russian-language preschools, for 820 children, or 1.4 per cent of the overall total.

519. Five institutions of higher education in the Autonomous Republic of Crimea train language specialists to work at general education schools, cultural institutions and in other areas; two of these are under the authority of the central Government.

520. The Crimean Engineering and Pedagogical University and the Vernadsky Taurida National University's language faculty provide basic training for teachers of Crimean Tatar language and literature. Additionally, the Crimean Engineering and Pedagogical University trains language teachers in the following specializations: Ukrainian language and literature and Crimean Tatar language and literature; Crimean Tatar language and literature and Russian language and literature; Crimean Tatar language and literature and English language; and Crimean Tatar language and literature and Turkish language.

521. On 21 December 2011 the parliament of the Autonomous Republic of Crimea adopted Decision No. 632-6/11, approving a Programme for the development of education and science, physical education/sports and support for families in the Autonomous Republic of Crimea for 2012–2016. To set up an effective system of language training for the implementation of this programme, events such as conferences, seminars, competitions and round tables are held to foster the development of Crimean Tatar and other languages. A student creativity competition is also organized each year throughout Crimea under the title "Language: the Soul of the Nation", in the languages of the peoples living in Crimea, in conjunction with International Mother Language Day. In addition, a student festival is held in the Crimean Tatar language under the title "the Mother Tongue is Priceless; the People's Spiritual Wealth is Endless", and other events are organized.

522. One of the things that has made it possible to increase the effectiveness of the State's efforts to solve the social, economic and cultural problems of Crimean Tatars has been their increased involvement in decision-making on matters of interest to them. One effective way of increasing involvement has been through the direct representation of deportees in bodies of power at the different levels.

523. The Ministry of Culture of Ukraine has co-founded a newspaper called *Golos Kryma* (The Voice of Crimea), which is distributed throughout Ukraine. It provides funding annually for this publication with the purpose of helping to preserve, develop, express and disseminate the Crimean Tatar language.

524. Specifically, in both 2011 and 2012 the funding amounted to Hrv 257,800; in 2013, it came to Hrv 864,100.

525. Muslim religious organizations are the second largest among the religious organizations in Crimea. The Spiritual Council of Muslims of Crimea is composed of 346 religious organizations, including 340 congregations, 1 council and 5 religious schools (madrasas). The Crimean Muslim Spiritual Centre is composed of 15 religious organizations, including 14 congregations and 1 centre, and also includes 49 independent Muslim communities.

526. The congregations under the Spiritual Council of Muslims of Crimea have 323 places of worship, of which 190 have been adapted for their use and 95 have been newly built.

527. There are five madrasas with seven branches in Simferopol, Saky, Bakhchysaray, Bilohirsk and Staryi Krym. The Crimean madrasas that are members of the Spiritual Council of Muslims of Crimea have 323 students.

528. Over the past five years, 16 students received higher religious education overseas and returned to Crimea. Mosques in Crimea have 70 Sunday schools where classes are conducted by local imams and Turkish missionaries.

529. In 2013, 63 missionaries were received in Crimea at the invitation of the Spiritual Council of Muslims of Crimea.

530. The number of pilgrims travelling to Mecca is constantly increasing. In 2013, 98 people made the pilgrimage.

531. The Spiritual Council of Muslims of Crimea issues the newspaper *Hidayet* (Guidance), which has a print run of 10,000 copies. This year marked the twentieth anniversary of the paper's founding. The magazine *Istochnik mudrosti* (Source of Wisdom) is still being published and is issued every two months. In October 2013 a Muslim youth magazine, *MUSLIM*, began publication; the title translates from Arabic as "submitting to God and to the Creator of all things". It is published in Russian and has a print run of 500 copies.

35. Please indicate what measures have been implemented to promote and facilitate access to the Internet and to cultural activities, including concerts, theatre, cinema, sports events, and to ensure that access to the Internet and cultural activities are affordable for all segments of the population.

532. In accordance with Ministry of Culture order No. 43 of 30 January 2013, on the right of socially vulnerable groups to visit enterprises, institutions and organizations that fall within the scope of the Ministry of Culture at reduced rates, the heads of such cultural venues offer persons with category I or II disabilities, children of preschool age, pupils in specialized secondary schools, students at higher educational institutions, serving members of the armed forces, pensioners and veterans of the Second World War and other conflicts and wars free admission to concert halls, theatres, circuses, museums and national parks on one day during the last week of each month on presentation of the appropriate identification card. Information on the free entrance days is posted on the websites of the enterprises, institutions and organizations.

533. Free entrance to theatre performances and concerts is subject to the availability of seats (unsold tickets). Such tickets are given out one hour before the start of the performance.

534. Full-time students at Ukrainian public and private institutions of higher education, secondary school pupils and pensioners are entitled to discounted film tickets on presentation of the appropriate documents.

535. The information on the days on which such discounts are offered, the show times and the price is posted on the websites of the cinemas.

536. Discounts are not available for first showings, on Wednesdays, at the weekend and on holidays, for premieres, for showings announced as being for paying customers only, for the first week after a 3D film has been released and for the first showing of such films on weekdays thereafter.

537. Children up to the age of 6 may watch films for free without a separate seat.

538. Wednesdays have been declared "Audience Days". The discounted prices for the showings on such days must be posted on the cinema websites.

539. There is also a special single ticket programme for orphans, which gives them free entry to showings of films (other than premieres) before 4 p.m. from Mondays to Thursdays in the venues indicated on the cinema websites.

540. Access to information helps people to change their lives for the better and is necessary in today's globalized society.

541. The Bill and Melinda Gates Foundation Global Libraries initiative has been launched in Chile, Mexico, Botswana, Lithuania, Latvia, Romania, Ukraine, Poland, Bulgaria, Viet Nam and the Republic of Moldova. The purpose of the initiative is to support free public access to computers and the Internet throughout the world and to bridge the digital divide. Under the initiative, the Foundation is providing funding for the purchase of computer equipment and training of librarians in the use of new technologies and is thus helping libraries to become up-to-date public information centres.

542. The Bibliomist programme to modernize Ukrainian libraries is part of the initiative. Access to information and modern technologies has been increased under Bibliomist through the provision of computer equipment to some 1,800 public libraries (about 8 per cent of the country's public libraries) for the period up to 2014, training of library staff in the use of new technologies at 25 training centres, the promotion of mass digital literacy in participating libraries throughout the country, assistance to librarians in their outreach work and efforts to obtain additional resources and raising of the profile of modern Ukrainian libraries among the public at large.

543. The following partners have been involved in the Bibliomist project: the International Research and Exchanges Board (IREX), selected by the Bill and Melinda Gates Foundation to implement Bibliomist in Ukraine, the Ukrainian Library Association, Microsoft Corporation, which has donated an estimated $9 million in software to the participating public libraries in Ukraine, and the Ministry of Culture of Ukraine. The Ministry of Culture and IREX signed a memorandum of understanding on the Bibliomist project in Kyiv on 8 December 2008. The Ministry is responsible for the overall supervision of the project activities.

544. Unrestricted access to up-to-date information is a prerequisite necessary to the functioning of today's globalized society. However, some 67 per cent of the population of Ukraine cannot access the Internet easily. Most of them live in small communities which lack the necessary technology and skills. The Bibliomist programme is working to narrow the digital divide through the latest technologies. Libraries are now offering free Internet access and learning opportunities, widening the range of services and the circle of visitors and promoting regional economic and social development.

Annexes

Annex I

Breakdown of gross domestic product by income category in 2012*

Type of economic activity	Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity		
	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings
Agriculture, forestry and fishing	113 245	7.8	23.6	0.2	76.2
Mining and quarrying	82 528	5.7	54.2	-20.2	66.0
Manufacturing	178 442	12.2	72.1	3.0	24.9
Electricity, gas and air conditioning supply	45 566	3.1	58.2	-13.9	55.7
Water supply, sewerage, waste management and remediation activities	7 029	0.5	112.4	-18.0	5.6
Construction	40 500	2.8	58.6	3.1	38.3
Wholesale and retail trade; repair of motor vehicles and motorcycles	210 232	14.4	47.5	1.7	50.9
Transportation and storage, postal and courier activities	103 869	7.1	64.1	1.7	34.2
Accommodation and food service activities	11 459	0.8	63.5	3.5	33.0
Information and telecommunications	44 187	3.0	51.1	4.4	44.6
Financial and insurance services	62 336	4.3	54.4	1.4	44.2
Real estate activities	86 973	6.0	23.9	-1.3	77.4
Professional, scientific and technical activities	43 020	2.9	63.8	1.1	35.1
Administration and support service activities	16 870	1.2	69.4	9.3	21.3
Public administration, defence; compulsory social security	64 323	4.4	90.3	0.1	9.6
Education	75 161	5.1	91.3	0.2	8.5
Human health and social work activities	53 217	3.6	86.7	0.7	12.6

* The GDP accounts for 2012 were compiled taking into account the changes in methodology provided for under the new international standards for national accounts statistics contained in the System of National Accounts 2008 and the European System of National and Regional Accounts (ESA 2010), and the 2010 edition of the Classification of types of economic activity.

Type of economic activity	Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity		
	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings
Arts, sport, entertainment and leisure	10 296	0.7	91.9	-35.6	43.7
Other services	12 904	0.9	44.8	3.1	52.1
Total (in basic prices)	**1 262 157**	**86.5**	**58.4**	**-0.9**	**42.5**
Taxes on products	200 912	13.8	x	100.0	x
Subsidies on products	-3 973	-0.3	x	100.0	x
Gross domestic product	1 459 096	100.0	50.5	12.7	36.8

Source: Ukrainian State Statistics Service, accounts of the Ministry of the Economy and Development.

Annex II

Breakdown of gross domestic product (GDP) by income category in 2013*

Type of economic activity	First quarter 2013					Second quarter 2013					Third quarter 2013				
	Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity		
	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings
Agriculture, hunting and forestry	9 746	3.2	39.1	0.7	60.2	18 345	5.2	38.9	0.5	60.6	53 300	13.6	14.4	0.9	84.8
Mining	19 311	6.4	50.3	-14.7	64.5	23 033	6.6	48.0	-14.2	66.2	23 565	6.0	47.2	-13.7	66.5
Manufacturing	36 123	12.0	75.3	4.4	20.3	46 195	13.1	70.3	3.7	26.0	42 855	10.9	72.3	3.5	24.2
Production and distribution of electricity, gas and water	13 620	4.5	58.2	2.8	39.0	12 777	3.6	62.2	1.6	36.2	11 779	3.0	64.9	0.5	34.6
Construction	6 310	2.1	59.1	1.6	39.3	8 602	2.4	53.6	2.0	44.4	9 677	2.5	48.6	2.0	49.4

* Calculated in accordance with the methodological principles underlying the international standards set forth in the System of National Accounts approved in 1993 by the Commission of the European Communities, the International Monetary Fund, the Organisation for Economic Co-operation and Development, the United Nations, the World Bank and the European System of National and Regional Accounts (ESA), and developed by Eurostat in 1995. Data for the fourth quarter of 2013 will be made public by the Ukrainian State Statistics Service on 11 March 2014.

Type of economic activity	First quarter 2013					Second quarter 2013					Third quarter 2013				
	Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity		
	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit, mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gr ss profit, mixed earnings
Trade, repair of motor vehicles, domestic and individual consumer goods	47 642	15 8	46.8	2 3	50 9	57 820	16 4	41 5	2 0	56 5	62 646	16 0	38 4	2 0	59 6
Transport and communications	31 503	10 4	53 2	2 2	44 5	35 733	10 2	53 3	2 1	44 6	36 671	9 3	51 5	2 2	46 3
Education	18 987	6 3	93 3	0 1	6 6	20 830	5 9	93 8	0 1	6 1	19 393	4 9	93 2	0 2	6 6
Human health and social work activities	12 812	4 3	86 8	0 8	12 4	14 197	4 0	85 9	0 7	13 4	15 049	3 8	81 0	0 7	18 3
Other types of economic activity	70 549	23 4	63 9	0 5	35 7	77 059	22 0	63 5	0 3	36 2	79 915	20 4	61 8	0 2	38 0
including:															
Finance	15 934	5 3	47 3	1 2	51 4	14 892	4 2	54 1	1 3	44 6	15 673	4 0	52 9	1 3	45 8
Real estate activities, letting, engineering construction services and other business services	30 315	10 1	53 7	2 0	44 3	34 916	9 9	51 1	1 7	47 1	35 857	9 1	48 0	1 5	50 5
General government	15 180	5 0	94 5	0 1	5 4	16 120	4 6	94 8	0 1	5 1	17 030	4 3	95 1	0 1	4 8

Type of economic activity	First quarter 2013					Second quarter 2013					Third quarter 2013				
	Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity			Gross Value Added (GVA)		Including percentage of GVA of the corresponding type of economic activity		
	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit/ mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit/ mixed earnings	At current prices (millions of Hrv)	Percentage of the total	Wages for salaried employees	Taxes excluding production and import subsidies	Gross profit/ mixed earnings
Financial services intermediaries	-8 849	-2.9	x	x	100.0	-9 078	-2.6	x	x	100.0	-9 385	-2.4	x	x	100.0
Taxes on products	44 260	14.7	x	100.0	x	46 895	13.3	x	100.0	x	47 693	12.1	x	100.0	x
Subsidies on products	-416	0.2	x	100.0	x	-512	-0.1	x	100.0	x	-528	-0.1	x	100.0	x
Gross domestic product	**301 598**	**100.0**	**54.8**	**15.1**	**30.1**	**351 896**	**100.0**	**53.1**	**13.5**	**33.4**	**392 630**	**100.0**	**47.0**	**12.4**	**40.6**

Source: Ukrainian State Statistics Service, accounts of the Ministry of the Economy and Development